00023644

THE
ASIATIC SOCIETY OF BOMBAY
TOWN HALL, BOMBAY-400 023.

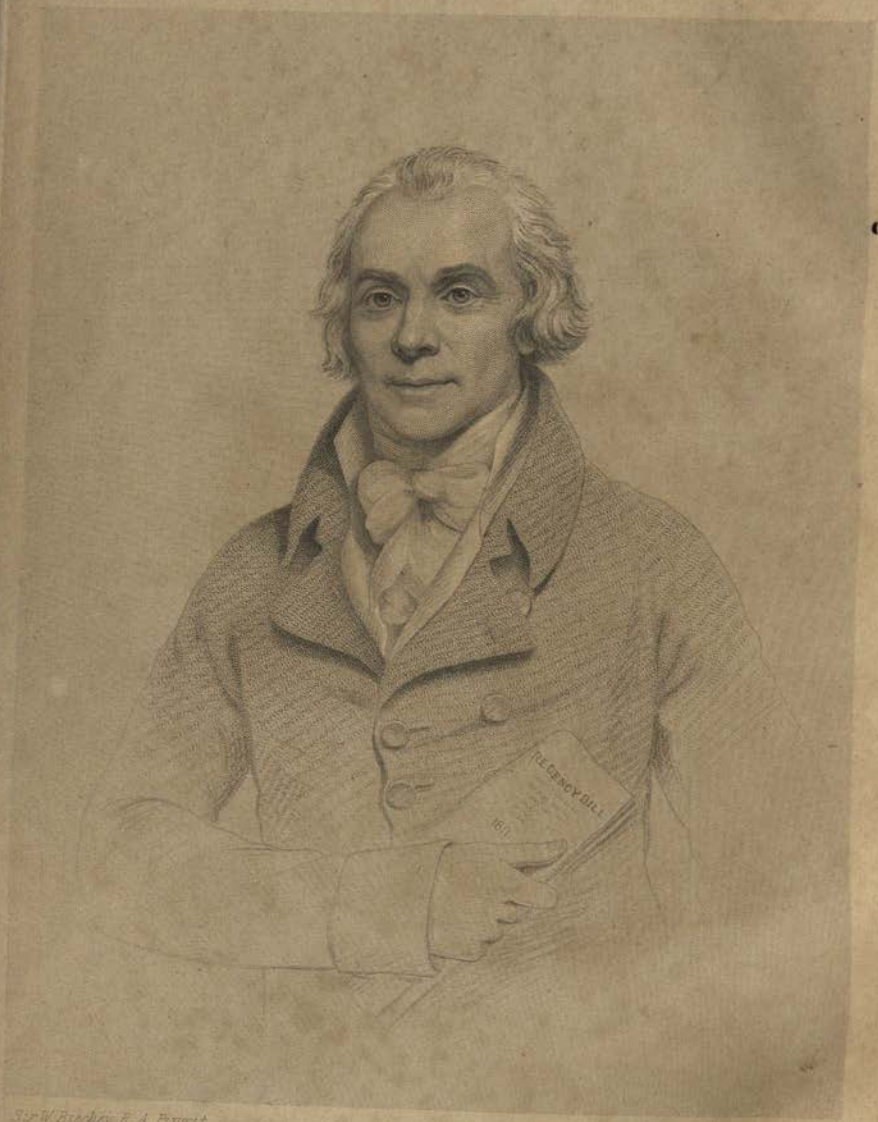
Digitized with financial assistance from the
Government of Maharashtra
on 18 July, 2018

THE LIFE

OF THE

RT. HON. SPENCER PERCEVAL.

VOL. I.



Sir W. Beechey R. A. Pinxit.

Joseph Brown. Sculpsit.

Sp. Perceval

THE LIFE

OF THE

RT. HON. SPENCER PERCEVAL

INCLUDING

HIS CORRESPONDENCE

WITH NUMEROUS DISTINGUISHED PERSONS.

BY HIS GRANDSON

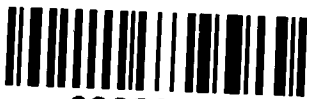
SPENCER WALPOLE.

IN TWO VOLUMES.

VOL. I.

LONDON:
HURST AND BLACKETT, PUBLISHERS,
13 GREAT MARLBOROUGH STREET.
1874.

All Rights reserved.


00023644

PREFACE.

More than sixty years have elapsed since the subject of this memoir was assassinated in the lobby of the House of Commons. Two generations have, in the interval, passed away. The great men with whom Perceval was thrown into communication have, one by one, dropped off the stage. The youngest member and last survivor of his Ministry died in a green old age, in the full enjoyment of the power he had used so well, seven years ago. Nor are the actors alone changed. The scene is altered too. The policy which was in favour in Perceval's lifetime has long since been discarded for the more generous opinions which have been adopted since the first Reform Act. Language which, sixty years ago, commanded the assent of the majority of the House of Commons,

would not be uttered now by the most reactionary Tory.

The great men of that time have, nearly without exception, had their biographies written. Pitt has found an able biographer in Lord Stanhope; Fox, a warm admirer in Lord Russell; Addington in Pellew; Lord Eldon in Twiss; Lord Wellesley in Pearce; Lord Liverpool in Yonge; Canning in Stapleton; Castlereagh in Sir A. Alison. The Duke of Buckingham's 'Courts and Cabinets' furnishes us with a memoir of Lord Grenville. Wilberforce, Romilly, Abbot, live in their diaries. Of the great party-leaders of the day, two alone —Perceval and the Duke of Portland—have never had their lives written. The action of the Duke's son, in destroying his father's papers, has probably made it impossible to supply the defect in the one case. This memoir is an attempt to supply it in the other.

The task has been undertaken under some difficulty. Perceval's contemporaries—the men who might have imparted information—are passed away; and the author has been compelled to rely on published testimony and the correspondence which he found among his grandfather's papers. The

correspondence contains letters to and from the King, the Prince Regent, and the Duke of Cumberland; the Duke of Wellington, Pitt, Addington, Lord Liverpool, Lord Grenville, Lord Grey, and the Duke of Portland; Lord Loughborough and Lord Eldon; Lord Spencer and the Duke of Richmond; Canning, Castlereagh, Lord Lonsdale, Lord Wellesley, and other distinguished men. Some of these letters have already been published in other works; others are entirely new, and not only illustrate the life of a great and good man, but also throw, as the author hopes and believes, additional light on one of the most interesting periods of English History.

CONTENTS

OF

THE FIRST VOLUME.

CHAPTER I.

EARLY LIFE.

1762–1796.

Origin and History of the Perceval Family—The Earldom of Egmont—Birth of Spencer Perceval—Career at School and College—Verses addressed to Perceval on leaving College—Adopts the Bar as a Profession—His Marriage—Opinions of Able Men respecting Perceval—Nominated a King's Counsel—Official Appointments held by him—Impeachment of Warren Hastings—Introduction to Pitt—Retained by the Government for the Trials of Paine and Horne Tooke—Letter from Lord-Chancellor Loughborough—Declines the Chief Secretaryship of Ireland—Oratorical Practice at the 'Crown and Rolls'—Elected M.P. for Northampton . . . Page 1

CHAPTER II.

IN PARLIAMENT.

1796–1798.

Mutinies of the Fleet—Punishment of the Chief Offenders—First Appearance in Parliament—Debate on the Subsidy to the Emperor of Austria—Perceval a Supporter of the War with France—Termination of Negotiations with that Country—Fox's Motion for Repeal of the Treason and Sedition Bills—Question of Parliamentary Reform—Retained for the Prosecution of Binns—Pitt's Scheme for trebling the Assessed Taxes—Opposition of Fox—Reply to Sir F. Burdett's Speech on the War—Pitt's Opinion of Perceval—Land Tax Redemption Bill—Irish Outbreak of 1798—Official Appointments 30

CHAPTER III.

IN PARLIAMENT (CONTINUED).

1798-1800.

Reassembling of Parliament—Pitt's Proposed Income Tax—Debate on Tierney's Address to the Crown respecting Negotiations for Peace—Forfeiture for High Treason Bill—Rejection of Napoleon's Overtures for Peace—Prophetical Studies—Sheridan's Motion for Inquiry into the Causes of the Failure of the Duke of York's Expedition to Holland—Debate on the Conduct of the French Roman Catholic Emigrés—Projected Company for the Manufacture of Flour and Bread—Singular Scene—Bill for the Better Prevention of Adultery—Various Parliamentary Appearances—Union with Ireland—Conclusion of the First Period of Perceval's Political Career—Professional Advancement—Emoluments at the Bar—Peter Plymley's Amusing Description of Perceval's Family . Page 60

CHAPTER IV.

ADDINGTON'S MINISTRY.

1800–1802.

Position of Pitt—Change of Ministry—The Addington Administration—Perceval appointed Solicitor-General—Removes to the Chancery Bar—Speeches on the State of Ireland—Negotiations with the First Consul—Fox's Speech at the Shakespeare Club—Session of 1802—Debts of the Prince of Wales—Appointed Attorney-General—Political Situation—Prosecutions of Colonel Despard and Jean Peltier—Renewal of War with France—Parliamentary Proceedings—Emmett's Insurrection in Ireland—Murder of Lord Kilwarden—Napoleon's Threatened Invasion—Volunteer Movement—Juverna's Letters—Prosecutions of Cobbett and Justice Johnson for Libel . . . 85

CHAPTER V.

PITT'S SECOND MINISTRY.

1802–1806.

Pitt's Rupture with Addington—Declaration of War—Perceval's Defence of Addington—Refusal of the Chief-Justiceship of the Common Pleas—Talents as a Debater—Change of Views on

the Question of Catholic Disabilities—Marriages in Perceval's Family—Thomas Walpole—Lord Redesdale—A Volunteer Question—Prosecution of Trades' Unions—Correspondence with Lord Redesdale—Reconciliation of Pitt and Addington—Wilberforce and the Slave Trade—War with Spain—Catholic Claims—Commission of Naval Inquiry—Impeachment of Lord Melville—Resignation of Lord Sidmouth—Duke of Athol's Lordship of the Isle of Man—Battle of Trafalgar—Death of Pitt . . . . . Page 127

CHAPTER VI.

ALL THE TALENTS.

1806-1807.

Pitt's Debts and his Friends—Ministerial Arrangements—Solution of an Official Difficulty—Formation of a Cabinet—'All the Talents'—Correspondence with Lord Ellenborough—The Opposition—Windham—Military Service Scheme—Case of Miss Seymour's Guardianship—Inquiry into the Conduct of the Princess of Wales—Charges against Perceval—Death of Fox—Grenville's Application to Perceval—Dissolution of Parliament—General Election—Unsuccessful Negotiations with France—Napoleon's Continental System and the Orders in Council—Increase of Maynooth Grant . . . 174

CHAPTER VII.

THE FIRST YEAR OF THE DUKE OF PORTLAND'S MINISTRY.

1807-1808.

Political Rumours—Wilberforce and the Abolition of the Slave Trade—The Portland Administration—Perceval's Professional Emoluments—Appointed Chancellor of the Exchequer—Re-elected for Northampton—Brand's Motion and Ministerial Victory—Dissolution of Parliament—Result of the General Election—Meeting of Parliament—The King's Speech—Tactics of the Opposition—Debates of the Session—Perceval as Leader of the House of Commons—Maynooth Grant—Treaty of Tilsit—Expedition to Copenhagen—Orders in Council—Fiscal Policy—Roman Catholic Claims—The Clergy Residence Bill. 234

CHAPTER VIII.

THE SESSION OF 1809.

1808–1809.

Continental Affairs—The Peninsular War—Sir Arthur Wellesley —Battle of Vimeira—Sir H. Burrard—Sir H. Dalrymple—Convention of Cintra—Sir John Moore's Expedition to Portugal —Duke of York and Mrs. Clarke—Mr. Gwyllym Lloyd Wardle—Inquiry respecting Military Appointments—Mrs. Clarke's Examination by the House of Commons—Proposal made by Lord Melville—Lord Mulgrave's Advice—Debate in the House of Commons—Traffic in Public Offices—Charges against Castlereagh and Perceval—Parliamentary Reform Bill—Quintin Dick's Resignation—Romilly's Bill on Corrupt Practices—Budget for the Year . . . . . Page 289

CHAPTER IX.

CANNING AND CASTLEREAGH.

1809.

Ministry of the Duke of Portland—Lord Castlereagh—George Canning—Dissatisfaction with the Arrangements for the Conduct of the War—Sir John Moore's Appointment to the Command in Portugal—Correspondence of Canning and Perceval—Serious Illness of the Duke of Portland—The Political Situation—Negotiations—News from the Seat of War—Difficulties of the Government—Lords Camden and Castlereagh—Resignation of the Duke of Portland—Canning's Statement of his Position and Views—Delicate Position of Perceval—State of the Administration 344

ERRATA.—VOL. I.

Page 239, line 16, *for* 'thirty-six' *read* 'thirty-one.'
Page 241, line 17, *for* 'Edveni' *read* 'Edocui.'
Page 241, line 33, *for* 'conspicuere' *read* 'conspiciere.
Page 262, lines 21 and 22, omit the inverted commas.
Page 331, note, *for* 'Parl.' *read* 'Pict.'
Pages 222, 243, and 276, notes, *for* 'Sidney' *read* 'Sydney.

NOTE.—Through an inadvertence, which I regret, I have in the ninth chapter of this volume described Canning as 'the son of a needy and dissolute actor.' The description is not quite accurate. Canning's father died when his son was of a very tender age; and his mother, who went on the Stage, remarried. Her second husband was 'a performer of celebrity in his day, but of wild habits.'—*Ann. Reg.* vol. lxix. p. 478.

THE LIFE

OF

THE RIGHT HON. SPENCER PERCEVAL.

CHAPTER I.

EARLY LIFE.

1762–1796.

Origin and History of the Perceval Family—The Earldom of Egmont—Birth of Spencer Perceval—Career at School and College—Verses addressed to Perceval on leaving College—Adopts the Bar as a Profession—His Marriage—Opinions of Able Men respecting Perceval—Nominated a King's Counsel—Official Appointments held by him—Impeachment of Warren Hastings—Introduction to Pitt—Retained by the Government for the Trials of Paine and Horne Tooke—Letter from Lord-Chancellor Loughborough—Declines the Chief Secretaryship of Ireland—Oratorical Practice at the 'Crown and Rolls'—Elected M.P. for Northampton.

AMONG the numerous barons who accompanied Duke William of Normandy in his great expedition to England, none was of more importance than Robert, Lord of Breherval, Montinney, and Villariis Vastatis. Son, as there is some reason for concluding, of Eudes, Sovereign Duke of Brittany, and Lord of the stoutest

fortress in all Normandy, Robert was an ally whose assistance could be hardly spared. The value of his services may perhaps be measured by the extent of his reward. The Lord of Breherval in Normandy was invested with the Lordships of Karry and Harpetree, in Somersetshire. But great wealth could not avert other misfortunes. The Lord of Breherval sickened of a serious illness, entered the Abbey of Bec, and died a monk, leaving his vast estates to his three sons, Ascelin, Gouel, and William.

Ascelin, the eldest of the three, had also accompanied the Conqueror in his expedition to England. He, too, had received his share of the spoil. He had been invested with many large manors in Somersetshire. It is more interesting to note that, in Hollingshead's roll of Battle Abbey, he is mentioned by the future name of one branch of his descendants,—'Perceval.' His ungovernable temper had gained him the nickname of 'Lupus,' or the wolf, which, in its turn, has been corrupted into 'Lovel,' the patronymic of the other branch.

This Ascelin, who was created Earl of Yvery, was successively succeeded by his two sons Robert, and William Gouel or Lupellus. Robert left no issue; Lupellus, the wolf's cub, rebelled against Stephen, and defended the Castle of Karry against that king. 'The cub' had five sons. William, the eldest, inherited the Norman estates and title; Ralf, the second, left no issue, and was succeeded by the third brother, Henry. This Henry was the an-

cestor of the Barons Lovel of Karry, a title which became extinct in A.D. 1351. The fourth brother, William, who also assumed the surname of Lovel, was the ancestor of the Barons Lovel of Dockinges and Minster Luvel, 'an eminent race, of the greatest alliances and highest employments of the realm, but determined' about the beginning of the reign of Henry VIII.

Richard, the youngest of the five brothers, adopted the original name of his family, 'Perceval.' He crossed over to Ireland with Strongbow, and lost a leg in the Holy Land, serving with distinction under Lion Heart. Richard's grandson, Robert de Perceval, crossed also over to Ireland, 'where he carried himself so valiantly that he acquired great possessions, and was made a Baron of that realm.' This barony, thirty-one years older than the oldest surviving barony in Ireland, became extinct on the death of Robert's grandson, Thomas Lord Perceval, in 1322; and the Perceval family was not again ennobled for more than four centuries afterwards.

Robert Perceval, however, had two brothers, Hugh and John, and the honours of the family, the Barony excepted, devolved on them. Hugh died without issue; John's son, Sir Roger Perceval, was summoned as a Baron to the Parliaments held in 1290 and 1296. Roger's son, Sir John Perceval, represented Warwickshire in Parliament in 1300.

Sir John was succeeded by Walter Perceval, knighted, when only nineteen years of age, for

gallantry at Crecy. Sir Walter's grandson, Richard Perceval, left in 1433 three sons. John, the eldest, died without issue. The posterity of the second became extinct at the commencement of the eighteenth century. Ralf, the younger, 'being a person of great address, was employed by the Duke of Buckingham, after the death of King Edward IV., to engage the Duke of Gloucester to usurp the throne, promising to assist him with a thousand brave fellows, if need were, from the western and southern parts of the kingdom.' But Buckingham, disgusted at Richard's brutality in putting his nephews to death, 'soon after endeavoured to level the King he had thus made, in which attempt having failed, he was taken prisoner, whereby Ralf was defeated of that advancement he had promised himself.'[1] Ralf, however, espoused the cause of the Earl of Richmond; and, though he himself fell at Bosworth, his family was confirmed in its fortunes by the new King.

From this Ralf was lineally descended the famous Richard Perceval, who began his singular career by marrying a penniless girl against his father's wishes; and raised himself to opulence and favour by deciphering the Spanish dispatches, which had fallen into Burleigh's hands, and gave that great statesman the first intimation of the formidable designs of Spain. This Richard, according to his epitaph,[2] 'having passed through various fortunes,

[1] House of Yvery, vol. i. p. 15. [2] In Dublin.

good and evil, did exercise diverse memorable employments in the court of Wards and Liveries, under that renouned Lorde, Robert Sicele, Erle of Salisbury . . . . was called away to pay another service before the throne of the Almighty Kynge of Kynges upon the 4th September in the year of our Redemption one thousand six hundred and twentye, and of his owne age the sixty and ninthe.' Richard's son, Sir Philip Perceval, was a still more distinguished man. He served as Commissary General of the Irish army, and Providore General of the Horse, at the very time at which he was in command of troops. He distinguished himself, in these capacities, by his exertions against the rebels; and only reluctantly assented to Lord Ormonde's Cessation with the Irish in 1643. Dissatisfied with the Irish policy of Charles, he subsequently passed over to the Opposition; served as Member for Newport in Cornwall; was Chairman of the Committees appointed to manage the defence of the City and Parliament; and, on his death in 1647, was buried at the public expense at St. Martin's-in-the-Fields. Dr. Maxwell, Bishop of Kilmore, composed his epitaph.[1]

'Philip lies here, at length subdued by fate:
By birth illustrious, and by fortune great.
Capricious chance long taught him to explore
By turns her fickle fondness and her power.

[1] House of Yvery, vol. i. p. 24.

Could the remembrance of his virtues sleep
Envy herself at the sad loss would weep.'

A far better poet thus described him,—

'Patriot, without pretence, from faction free-
Just to his prince, and true to liberty.
Who, high in office, bore no public curse;
Who drew no profit from the public purse;
With private arms his country's foes withstood;
From private stores supplied her hosts with food.[1]
Of various posts endured the various spoil,
In view of glory, not in thirst of spoil;
In Council faithful; in the Senate bold;
Nor bribed by favour, nor by power controlled.
Great in himself, the guilty title scorned;
By birth ennobled, and by worth adorned.'

Philip's son, Sir John Perceval, served also with distinction under Cromwell. Notwithstanding these services, he succeeded, after the Restoration, in securing a patent of special pardon, and a baronetcy, with a remarkable clause in the patent, never inserted before or since: 'That the eldest son and heir, or grandson and heir, of the family, should, upon demand, at the age of twenty-one years, be knighted by the king; and, by virtue of that knighthood, enjoy the place and rank of a baronet, during the lifetime of the father or grandfather, with the same precedency.' Philip's great-grandson, Sir John Perceval, was created, in 1714, Baron Perceval, of Burton,

[1] Sir Philip is said to have advanced large sums of money for the food of the army, of which he was the Commissary and Providore General.

in the County of Cork, and, in 1727, Viscount Perceval, of Kanturk, in the same county. He represented Harwich in the reign of George the Second, was appointed the first President of the Colony of Georgia in 1732, and made Earl of Egmont in the following year.

Lord Egmont, who married Catherine, the daughter of Sir Philip Parker à Morley, in Suffolk, was a nobleman of considerable distinction, both in politics and literature. He is best known now perhaps by the genealogical history of the House of Yvery—an antiquarian work, in two large volumes, dedicated to the glorification of the Perceval family. Pompous in his manner, proud of his pedigree, jealous on such trivial matters as the precedency of Irish peers,[1] Lord Egmont united to his pomposity and pride more genial and desirable qualities. One, who was said to have known him well, wrote of him, 'In a course of sixty-five years from his cradle to his grave, Lord Egmont was never found to have injured the living or the dead either in word or in deed. Honest and rational in his principles of government; dutiful and affectionate to his prince; void of all ambition and every vain desire; free from any anxious care to increase his own fortune; destitute of envy at the advancement of other men; a father rather than a landlord to his tenants; liberal without profusion; generous without ostentation; charitable in secret to a transcendent degree; just

[1] Lord Egmont published a pamphlet on the subject.

and punctual in all his dealings with the world; benevolent to all mankind; a great example of virtue in his youth, of moderation in the vigour of his age, of patience during a long illness in the decline of years, of philosophy in a manly support of the loss of those whom he tenderly loved, of fortitude and resignation in the last moments of his life.'[1]

John, the second Earl of Egmont, was born in 1710; was elected, in 1731, for Dingle; and, ten years later, for the great city of Westminster. He took an active part in Parliament, held on more than one occasion high office, and is described 'as a fluent and plausible debater; warm in his friendship, and violent in his enmity.' Like his father, Lord Egmont occasionally indulged in literary pursuits. His 'Faction detected by the Evidence of Facts,' which is attributed by Horace Walpole to Lord Bath, is commended by Archdeacon Coxe as 'one of the best political pamphlets ever published.'[2] Lord Egmont was twice married: first, to a daughter of Lord Salisbury's, by whom he had two sons, whose descendants are, however, entirely extinct; and, second, to a daughter of Lord Northampton's — subsequently created Baroness Arden, in her own right — by whom he had two sons

[1] Lodge's 'Peerage of Ireland,' vol. ii. p. 167. Quoted in Parke's enlarged edition (London, 1806) of Horace Walpole's 'Royal and Noble Authors,' vol. v. p. 254.

[2] Coxe's 'Memoirs of Lord Walpole,' p. 377. Quoted in Parke's edition of Horace Walpole's 'Royal and Noble Authors,' vol. v. p. 275.

and four daughters — Lord Arden, born in 1756, whose correspondence will occasionally be produced in the following pages; Spencer, born in his father's house in Audley Square, on the 1st of November, 1762, the subject of this memoir; Mary, who married Mr. Drummond, of Cadlands, in Hampshire; Elizabeth, who was never married; Frances, who married the first Lord Redesdale; and Margaret, married in 1803 to Mr. Thomas Walpole, a nephew of the first Earl of Orford, a country gentleman of Whig proclivities, who had served as minister at Munich.

The name which had been given to the second son, was a favourite one in the Northampton family. It had been originally introduced into it by the marriage of William, first Lord Northampton, to the daughter and heiress of Sir John Spencer — Rich Spencer, as he was called — the owner of Crosby Place. The wealth of this lady, and the curious stipulations which she made, on her marriage, for her own comfort, will be found described in a letter[1] which Mr. Jesse has inserted in his 'Memorials of London.' Her son Spencer, the second Earl, gained considerable distinction, as a gay courtier and a gallant soldier, in the reigns of the two first Stuarts. 'The mingling of the ancient blood of the Comptons,' as Mr. Jesse puts it, 'with that of the plebeian merchant, Rich Spencer, appears in no degree to have contaminated the chivalry of the race.'

[1] Jesse, vol. i. p. 267–276.

Soon after his second marriage, Lord Egmont took a lease of Charlton House, near Woolwich, and young Perceval consequently passed the few first years of his life in a house from which, by a singular coincidence, he subsequently took his wife. Charlton at that time was the property of a Miss Maryon, a rich heiress married to a Mr. Weller; Mr. Weller's daughter, also an heiress, was married to Sir Thomas Wilson. Lord Egmont died when Perceval was only ten years of age. About the time of his father's death he was sent to Harrow. From Harrow he was subsequently moved to Trinity College, Cambridge.

Nothing at all is known of Perceval's career at school, and we have only a little information of his subsequent career at college. Dr. Mansel, whose name will occasionally be met with in these papers, was his tutor. Lord Harrowby, then Mr. Ryder, and Mathias, the Italian scholar, two of his firmest friends. During his residence at the University he gained the English Declamation Prize; and he obtained his M.A. degree, when he was only nineteen years of age, on the 16th December, 1781. But the opinion which had been formed, at this early period of his life, of his disposition and abilities by some of those who had had the best opportunity of judging him, will be more evident from the graceful verses addressed to him, on leaving college, by Mr. Ward,[1]—

[1] 'Mr. Ward took his degree in 1769; was Senior Opt. and

'O lætioris quæ comes ingeni
Et apta blandis Musa leporibus,
Te dulcis ornet Percevalle,
Delicias decus et tuorum.
Proh! quanta morum gratia, quæ fides,
Candorque, et expers fraude protervitas
Majorque quæ conspectiorque
Ingenuo venit ore victus.
O digne tu qui Socraticus puer
Ires, Athenæ quem legerent suum
Omnisque jactaret repostum
Populeis Academus umbris.
En! ipse te quam Granta colit Deam
Votisque, et almâ prosequitur prece;
Fallorne? vel te jam morantem
Voce pia tenet allocuta:
'At, O beatis sedibus exiens
Dilecte, nostri sis merito memor
Ædes relicturus, togamque, et
Plena meis loca disciplinis.
Sis semper olim qualis es! Artium
Sciens bonarum! Sit pietas tibi!
Sit Musa cordi! teque, sive
Patribus annumerat senatus,
Sive otiosus fallis, idoneus
Sponsæ, et fideli conjugio, Tuus
Virtute dices, veritate
Granta fui, studiisque totus.'

This elegant tribute was probably composed in 1781, the year in which young Perceval took his degree. Two years afterwards his mother, Lady Arden, died; and his elder brother, now Lord Arden

First Medallist, a fellow of his College and probably classical tutor.' Letter, dated 7th January, 1843, from Mr. Miller to Mr. Dudley Perceval, enclosing the Alcaics, among the Perceval papers.

in his own right, took a residence at Charlton. Their old home at Charlton House was naturally an attraction to Lord Arden; but his lordship must soon have had a still stronger inducement to continue his new residence. Sir Thomas Wilson, who had married Miss Weller, the heiress, had had by her three unusually pretty daughters. Lord Arden was attracted by the charms of the elder sister. Spencer, who we may suppose was a frequent visitor at his brother's house, was captivated by the attractions of the second sister, Jane. Lord Arden was comparatively rich, and he was a peer. There can, therefore, be no surprise that Sir Thomas Wilson should have readily accepted his addresses. Spencer, on the contrary, was a younger son, and a briefless barrister with some 200*l.* a-year; so that perhaps, as this world goes, there can be still less wonder that Sir Thomas should have regarded his suit as inadmissible. Lord Arden was married in 1787. Spencer waited till 1790, when Miss Jane Wilson came of age; and, as the young lady was still resolute, and Spencer still constant, Sir Thomas wisely determined to wink at a marriage of which he did not entirely approve. Jane was sent on a visit to East Grinstead, in Sussex. At this place she was actually married; being dressed for the ceremony—as she used herself to acknowledge—in her riding habit.

Yet, if Sir Thomas Wilson had been as discriminating as he was rich, he might perhaps have seen

stuff in the young lawyer which would have induced him to give a warmer welcome to Perceval's addresses to his daughter. Windham, who had met him accidentally in a country house, had been struck with his acuteness and ability, and had recorded, in his diary, a remarkable opinion that 'he was likely some day or other to become a distinguished man.' Romilly, who had lately joined the Midland Circuit, writes in his autobiography, 'The society of the circuit had much improved, within a few years after I first entered upon it, by the addition of several men for whom I had a great regard. The principal of these were Ayscough, Perceval, and Bramston. Ayscough, though possessed of a large property, and though generous to a degree which amounted to a perfect contempt for money, followed the profession with as much ardour as if his subsistence had depended upon his success. He had read a great deal; always brought many books with him upon the circuit; and was possessed of much general knowledge, in which English lawyers are generally so deficient. He was cheerful, warm, friendly, and was a great acquisition to the society of the circuit. So too was Perceval. With much less, and indeed very little reading, of a conversation barren of instruction, and with strong invincible prejudices on many subjects, yet, by his excellent temper, his engaging manners, and his sprightly conversation, he was the delight of all who knew him.'[1]

[1] 'Memoirs of Sir S. Romilly,' vol. i. p. 91.

Nor were these opinions of singularly able men the only evidence of Perceval's position. In 1790, the very year of his marriage, Lord Northampton's interest secured him the Deputy-Recordership of Northampton. Early in the following year he was given a sinecure office in the Mint—'the Surveyorship of the Meltings.' 'The Surveyorship of the Meltings and Clerkship of the Irons,' for the two places went together, had previously been held by that great wit, George Augustus Selwyn, by whose death, on the 25th of January of that year, they had become vacant. The duties of the two offices were performed by deputy; the net emoluments derived from them only amounted to 123*l.* per annum.[1] The Surveyor of the Meltings is the title under which Perceval was, later in his career, more than once attacked by the inimitable 'Peter Plymley.' Small as the proceeds of the post were, they were no doubt acceptable. Perceval had taken his young bride to comparatively poor lodgings over a carpet-shop in Bedford Row. But the poverty of his position served as an incentive to fresh exertions. The two steps he had already gained had been due to the interest of others; his subsequent advancement was, in almost every instance, attributable to his own exertions. The dissolution of Parliament in 1790 had raised a

[1] Select Committee, House of Commons, on Finance Report, Hansard xxiv., Supplement B; but the proceeds are placed at only 103*l.* in the return published in the Appendix to Hansard, vol. xiii.

great constitutional question. Warren Hastings' impeachment, already protracted over many Sessions, was still undetermined; and, on the assembly of the new Parliament, the greatest authorities were in doubt whether it had been concluded by the dissolution. 'Erskine contended that the point was one for the Lords, in their judicial capacity, to determine. . . . . The Speaker, on the contrary, advised the House that the impeachment was in full force.'[1] The Speaker's opinion was ultimately adopted: but the debates had extended over so large a portion of the session that there was little time, during the remainder of it, to proceed with the trial. The real drift of the arguments had been partially obscured by their constant repetition.

Perceval, in consequence, determined on diminishing this obscurity by publishing what he termed, 'A Review of the Arguments in favour of the continuance of Impeachments notwithstanding a Dissolution.'[2] The pamphlet was anonymous; but its author was widely known, and the ability displayed in it is said to have been the first cause of the

[1] Massey, Hist. of England, iii. 437.

[2] The point turned on the proper application of certain precedents. In 1673 the Lords had appointed a Committee to consider 'whether an appeal to this House (either by writ of error or petition), or any other business wherein their Lordships act as in a court of judicature, and not in their legislative capacity, being depending and not continued in one session of Parliament, continue *in statu quo* unto the next session of Parliament without renewal;' and the Committee, whose report was adopted by their

writer's introduction to Pitt. In consequence, perhaps, Perceval was retained by the Crown on the trial of Paine in 1792; as well as on the more

Lordships, had answered the question in the affirmative.[1] The next precedent was more in point. Lord Strafford's impeachment had been interrupted in 1678 by a dissolution; and, on the assembly of the new Parliament, the Lords referred the original question of 1673 to another Committee, desiring them also to consider the state of the impeachment; and resolved, on the recommendation of the Committee—the resolution actually led to Lord Strafford's execution—'that in all cases of appeals and writs of error, they continue and are to be proceeded upon *in statu quo* as they stood at the dissolution of the last Parliament, without beginning *de novo:* and that the dissolution of the last Parliament does not alter the state of the impeachment brought up by the Commons in that Parliament.'[2]

These two precedents would probably have been complete, if it had not been for the course adopted on the impeachment of Lord Danby in 1685. At the commencement of a new reign, and in deference to the wishes of a new king, their Lordships had then resolved that 'the order of the 19th March, 1678, shall be reversed and annulled as to impeachments.' The precedent, therefore, in Lord Danby's case seemed to neutralise that in Lord Strafford's in 1678; and the confusion became greater in consequence of the action in 1689. Lords Salisbury and Peterborough were impeached, towards the close of that year, for departing from their allegiance, and for being reconciled to the Church of Rome. On the 6th of the following February Parliament was dissolved; and a new Parliament assembled on the 20th March. On the 2nd of the following October, on a petition from Lord Peterborough, the judges were asked for their opinion whether his lordship's offence had been committed before the 13th February, $16\frac{8}{9}$—on which date an act of free and general pardon had been passed—and a committee had been appointed to inspect precedents, and to see

[1] Lords' Journals 29, March 1673. Quoted in pamphlet, pp. 8. 9.

[2] Ibid. 17, March 1678. Quoted p. 23 of pamphlet.

famous occasion, in 1794, of the trial of Horne Tooke. In the latter of these years he was made, by Lord Chatham, Counsel to the Board of Admiralty (an

whether impeachments continue *in statu quo* from Parliament to Parliament. The judges on the 6th answered the question which [illegible] proposed to them in the affirmative; and the Committee, [illegible]30th, reported that they had examined precedents of impeachments, none of which 'are found to continue from one Parliament to another, except the lords who were lately so long in the Tower. After a long debate, Lord Salisbury and Peterborough were discharged.'[1]

The next precedent was that of the Duke of Leeds, who was impeached in 1695; and who, six years afterwards, in 1701—two dissolutions having taken place in the interval—was discharged; the Commons not prosecuting. 'Clearly an instance,' as Perceval properly points out, 'of the Lords proceeding upon an impeachment after a dissolution: for the dismissal must be considered as part of the proceedings: and, therefore, to that extent in direct disregard of the precedents of 1685 and, perhaps, of 1690.'

But, though the precedents of 1673, 1678, and 1701 were apparently opposed to those of 1685 and 1689, Perceval subsequently showed that it was impossible to rely on Lord Danby's case. In the first place, the resolution of 1685 was 'almost the first act of the first Parliament of a new reign, ingratiating themselves into favour with a new monarch, annulling proceedings against Popish peers upon the supposed ground of a Popish plot;' and therefore 'some little is to be deducted from its authority on account of the temper of the men who vote the resolution: but, in the next place, though the Lords in 1673 had a right to *declare* what the law was, it by no means follows that they were at liberty in 1685 to alter that law:' as the Court in making a rule act upon their discretion of what they think the law ought to be; in giving their judgments, they act upon their conviction of what they think the law is.' And it is a curious fact that, though, in consequence of the release of the Popish peers, the Lords brought in a Bill to reverse Lord Danby's attainder, the bill was thrown

[1] Pamphlet, pp. 55–57.

appointment which he had previously solicited in 1791),[1] and at the beginning of 1796 he received his silk gown.

out by the Commons; while the Lords themselves did not [illegible]e on inserting in the preamble of the measure the resolution [illegible] house on which it was founded.[2]

It seemed necessary to enter at some length into th[illegible] ment of this pamphlet, because later historians (Lord St[illegible] and Mr. Massey) have apparently attached equal importan[illegible] each of the two precedents. 'It might be argued,' writes [illegible] Massey for instance, 'that the latter decision was not entitled [illegible] much weight; but it was equally open to observation that th[illegible] resolution of 1679 was biassed by the strong prejudice again[illegible] the Popish lords.'[3] It is evident that, in such language as th[illegible] the historian forgets that the Lords, in dealing with an impeac[illegible] ment, are acting as judges, and not as legislators; and that, wh[illegible] in their legislative capacity, it would no doubt have been ope[illegible] to them to modify a rule, they were not at liberty, as a court o[illegible] law, to depart from a rule to which they on a previous occasion had committed themselves.

[1] The appointment in 1791 had been given to Brodrick. 'Brodrick,' Perceval writes to Lord Arden, 'has been appointed Counsel to the Admiralty. It is odd that I never thought of him before. I am persuaded it is a greater object for him than it was for me; and that he is in every way most deserving. I am most perfectly reconciled to my disappointment, and sincerely glad that he has got it.' In 1794 Brodrick, however, resigned; and Perceval again applied for the appointment. 'Lord Chatham,' wrote Lord Arden to him on the 20th July, 'has, in the kindest manner, told me that, if Brodrick resigns you shall succeed him. He said that he had very little doubt that he would; and in that case he would direct the appointment to be made out immediately. He spoke as if some of Brodrick's friends thought that he might have held the place together with his new situation; but that, I conceive, will not be so. So I wish you joy.'

[2] Pamphlet, pp. 40, 42.

[3] Massey, iii. 437, referred to in Stanhope's Pitt, ii. 82.

'Though I have no precise recollection,' wrote the Lord [illegible]cellor (Lord Loughborough) to him, on the 24th of [illegible]y, 'of the conversation which has made some impres-[illegible]pon you, I can assure you that you have not miscon-[illegible] my sentiments with respect to yourself. The number [illegible]g's Counsel at the bar has been to my observation too [illegible]extended, with some prejudice to the rank itself. The [illegible]nd circuit (unless it has increased much since I knew [illegible]es not appear to be an adequate reason for enlarging [illegible]umber. But I have so strong a persuasion that your [illegible]nts require only the opportunity of being more displayed [illegible]o be respected and admired, that, whenever your own judg-ment requires you to take an higher rank in the profession, [illegible] shall have great pleasure in submitting your application to [illegible]s Majesty, with a very confident hope that the promotion [illegible]ll prove advantageous to the public as well as to your-[illegible]lf.'

Perceval's desire to be made a King's Counsel, which produced this extremely complimentary letter from the Chancellor, was probably at this time the greater from the circumstance that he had just deliberately refused the attractions of a political career for the sake of the prospects which his profession held out to him. Pitt, on the 2nd January, had offered him, in a remarkably gratifying manner, the post of Chief Secretary for Ireland. The post was one which had been frequently held by the most distinguished men; it had constantly led directly to high political advancement; and the offer of it on this occasion was accompanied, as a perusal of the correspondence will show, with a proposal which must have obviously tended to gild the prize. Yet Perceval, a mere junior at the bar, with a profes-

sional income of only a few hundreds a-year, ha[illegible] much confidence in his own abilities that he [illegible] ceived his young and increasing family would [illegible] more advantage from his refusal than from h[illegible] ceptance of the office. The circumstance, hov[illegible] that the offer was made enables us to see the o[illegible] which the highest persons had at this time form[illegible] the abilities of the young lawyer; and for [illegible] reason it is necessary to insert the correspondei[illegible] between Pitt, Lord Spencer, and Perceval, on t[illegible] subject.

1. Mr. Pitt to Mr. Perceval:

'*Wimbledon, Jan. 2nd,* 1796.

'My Dear Sir,—I wish much to have an opportunity of conversing with you on a subject which I feel to be very interesting to the public service. As it is one on which I cannot expect an answer from you without some time for consideration, I think it best to mention it to you before we meet. Mr. Pelham's declining to return to Ireland has produced a vacancy in the situation of the Secretary to the Lord Lieutenant. You will easily believe how important an object it is to us to find a successor whom we think qualified for the post; and, on the fullest consideration, the Duke of Portland and Lord Camden, as well as myself, are fully satisfied that such an object cannot be more completely obtained than if you can be prevailed upon to undertake the task. I do not know how far you may have formed a determination to adhere to your professional pursuits, or whether there may be any other considerations to prevent your listening to this proposal. But, if that should not be the case, I can with great sincerity assure you that your acceptance would, in all our opinions, contribute very essentially to the public service, as well as to the personal satisfaction of all those with whom you would have to act. It would be im-

possible to propose to you to exchange your present situation and prospects for anything so precarious as the line of politics, if there were not at the same time the means of ensuring to you some provision of a permanent nature. On that point, and on any other particulars which may require explanation, I shall be happy to converse with you fully; and, for the purpose, if you do not feel any insuperable objection to that proposal, I would beg the favour of seeing you at Mr. Dundas', from whose house I write this letter, any time that may suit you either in the course of to-day or to-morrow.

'The earliest time that will suit you will be the most convenient, as the near approach of the Irish session presses for a decision. I send by this messenger a letter from Lord Spencer, which has been forwarded to me this morning by the Duke of Portland, and which I believe is on the same subject.

'Believe me, my dear Sir,
'Yours very sincerely,
(Signed) 'W. PITT.

'Honble. S. Perceval.'

2. Enclosure from Lord Spencer referred to in Mr. Pitt's letter:

'*St. Albans*, 30 *Dec.* 1795.

'Dear Perceval,—I feel so much interested in the success of a proposal, which I understand is to be made to you from the Duke of Portland by Mr. Dundas, that I cannot resist the temptation of obtruding upon you with a word or two on this subject.

'I recollect that, on a former occasion some time ago, when a hint was thrown out to you from the same quarter, pointing to a situation of great confidence, but very different in many respects from the one now thought of, you were (very justly, I think,) induced to decline it on reasons derived from the well-founded attachment to and promising

expectations of your profession. The present offer, however, points at prospects so much more distinguished, and of so very different a class from those of the former case, that, though I have no doubt all I can say upon it will suggest itself much better to yourself, and though I risk a little your thinking me impertinent in saying anything, I really feel too strong an interest in seeing the situation in question properly filled, not to incur that risk by pressing you on this occasion rather more earnestly than I have any right to do, to consider well before you allow any misplaced diffidence of yourself, or any other than the very strongest motive indeed, to prevent you from embracing an opportunity from which every one who knows you must be convinced you will be likely to derive so much credit and the public service so much benefit.

'I trust that you will excuse the liberty I am now taking and place it to its true account. If I had not happened to have been out of town, I should have endeavoured to see you that I might have had a better opportunity than a letter can afford for prevailing on you to undertake this charge. I am well aware that there may be circumstances about it which at first sight may appear a little in the shape of objections; but I know too well the great anxiety the Duke of Portland feels on the event of this offer, as well as the importance to our common friend, Lord Camden, to have in that situation a person like yourself, not to feel it my duty to them to use what little influence I may have with you for the accomplishment of their wishes; and I shall experience very great satisfaction if I should hereafter have reason to flatter myself that anything I have said has contributed to obtain from you a favourable determination.

'Believe me, my dear Perceval,
'With great truth,
'Yours very faithfully,
(Signed) 'SPENCER.'

3. Mr. Perceval to Mr. Pitt:

'Dear Sir,—When your letter, proposing my acceptance of the office of Secretary to the Lord Lieutenant of Ireland, was brought to me I was not at home, nor did I return for some time after it had been delivered. This circumstance, together with the nature of the proposal itself, which opened objects so extremely different from what I had been accustomed to consider, and so vastly beyond what I could have imagined would ever have been submitted to my choice, will, I hope, afford a sufficient excuse for my not having returned a more immediate answer. I felt it my duty, however, to lose no time in forming my determination; and now it is formed I take the earliest opportunity of acquainting you with it. I shall not attempt to express, because it is far beyond my power, how much I am flattered by this strong mark of your good opinion, as well as of that of every other person concerned in the proposal. And I do assure you most sincerely that the principal uneasiness which I feel in being obliged to decline it, arises from the apprehension of appearing insensible to so much kindness, and indifferent to the interests of that public service which you are obliging enough to say would be so much advanced by my accepting it.

'Much as I should be hurt to lose any part of your good opinion, I had much rather, if you should be dissatisfied with my determination, that you should attribute it to a want either of gratitude itself or of a disposition to manifest it by real service. If I had no interests to consider but my own, I should not from any private motive hesitate to accept it. My present circumstances and situation would be so infinitely improved by it; my vanity so much flattered; my pride and ambition so highly gratified, that I should certainly submit myself entirely to your disposal. I should state, indeed, and state sincerely, that I feared that you would be disappointed in the expectations you had formed of my ability to serve you, but, such as it was, it should be completely at your service. But the consideration of my family, already considerable in number, and in all human probability likely to be increased, makes it necessary for me to pay

a very inferior regard to my own feelings and my present interests; and, without affecting to represent my professional situation as particularly elevated at present, or particularly brilliant in prospect, yet I think that I may consider it as affording very reasonable grounds of expectation that I may be able to make by means of it a comfortable provision for my family in future.

'For myself I could be easily satisfied; for my family I could not; and I could not for this reason. If you were prepared,—which don't suspect me of supposing to be the case,—but, even if you were prepared to offer me such terms as I should think sufficient to answer the claims of my family upon me, I would not accept them; because I should feel they would be so much too great for any service I could render to the public, that you could not grant them with any degree of credit to yourself, or indeed without the imputation of inexcusable profusion of the public money. This, now I have written it, sounds so extravagant that I fear you may think it insincere; but, however, I must incur the risk of that thought; because, in refusing so great an offer, it seems absolutely necessary to state the real reasons, which, I am satisfied, if you once believe them to be sincere, you must admit to be sufficient. I entreat you again and again that you will not think this another way of asking you to offer me the security of some compensation which might extend to my children; and with a view to avoid any such conclusion I do assure you, after having given myself a whole night to think of it, I feel the objection which I have stated absolutely insurmountable.

'As your wish to see me at Wimbledon was only on the supposition of my being inclined to accept and treat upon your proposal, I have thought that, in the event of my declining it, you would be better pleased to receive my refusal in a letter than by myself.

'I despatch this letter I confess with some considerable fears, but yet not without some hope that you will be satisfied with the reasons it contains; and if you are so I hope it will not seem too much in me to request that you will have

the goodness to communicate to the Duke of Portland, Mr. Dundas, Lord Spencer, and every other person concerned in the proposal, how deeply sensible I am of the great kindness and honour which they intended for me.

'I am, dear Sir,

'With great sincerity,

'Your most obliged and faithful servant,

(Signed) 'SP. PERCEVAL.

'*Sunday Morning, Jan.* 3, 1796.'

The reply to Lord Spencer was couched in such similar language that it seems hardly necessary to quote it.

4. Mr. Pitt to Mr. Perceval:

'*Wimbledon, Sunday, Jan.* 3, 1796.

'My dear Sir,—The sentiments which led (me ?) to form an earnest wish that you should be induced to undertake the situation which my former letter proposed to you, must certainly make it a matter of great regret to me to find that you decline it. But I hope you will believe that I am not on that account less sensible of the kind and liberal manner in which you express yourself on the subject; and I will very fairly own to you that, however strong my wish might be with a view to the public service, I must admit the justice and force of the considerations which have led you to decide as you have done.

'Believe me, my dear Sir,

'Yours faithfully and sincerely,

(Signed) 'W. PITT.'

Lord Spencer followed on the 5th with an equally flattering rejoinder.

Other changes had in the meanwhile occurred in Perceval's condition. His wife had presented him

with a daughter in 1791 ; another daughter in 1792; a third early in 1794 ; a son in 1795 ; and another son in 1796. After the birth of the two first of these children he moved from his lodgings in Bedford Row to a house which he purchased in Lincoln's Inn Fields; the increase of his family necessitating a change, which his wife's fortune and his own professional advancement justified.[1]

Like many other eminent men, Perceval, at this period of his career, availed himself of the preparation which a debating society affords, for the strife and conflict of parliamentary warfare. Every Monday evening the members of this club were accustomed to meet at the 'Crown and Rolls' in Chancery Lane. The majority of the members—Perceval himself tells us—were staunch Tories. Some of them—Mr. Yorke, Mr. Ryder, Mr. Frankland, Mr. Sturges Bourne, and Mr. Vansittart,—achieved afterwards more or less political celebrity. Perceval was an unfailing attendant and a constant speaker. The drafts of some of these earlier efforts are still in existence, and strikingly illustrate the industry and zeal of the young lawyer. There is, indeed, some reason to suppose that Perceval occasionally threw life into a one-sided debate by adopting the view from which he in reality differed. On no other principle

[1] Sir Thomas Wilson, though he had objected to Mrs. Perceval's marriage, made the same settlement on her as on his other daughters. The house in Lincoln's Inn Fields seems, from a note among Perceval's papers, to have been purchased from Mr. Baron Parry's executors for 4500*l.*

is it easy to account for some of the opinions which he expressed at the 'Crown and Rolls.' We find him, for instance, arguing with great eagerness against the policy of endowing a Church, and insisting that it would be an advantage to the Church of England if her ministers were solely dependent on the voluntary contributions of their congregations. We find him earnestly advocating the surrender of Gibraltar to Spain, and contending that its retention was only a source of considerable burthen to this country. His speech on this occasion, which was evidently prepared with some care, affords a good example of the young lawyer's style. Ingeniously omitting the circumstance that Gibraltar was in reality not a colony, but a naval station, he reviewed the different circumstances under which the possession of colonies could be advantageous, and of course easily showed that none of the necessary conditions were fulfilled in Gibraltar. Was it then desirable to retain it as a monument of national glory? Enthusiasm does not depend on a monument, but on the history the monument commemorates. 'Consider the Egyptian Pyramids; the wonder and admiration of all ages! When we find the learned, of all descriptions, puzzling their ingenuity to discover, amidst inconsistent and contradictory stones, the real cause for which they were erected, and the real name and event which they were intended to perpetuate—this alone is clear, that the true credit and character and fame, of what was intended to be recorded by them,

has not been much assisted by the perpetual durability of those vast piles. When, on the other hand, one sees Tully hunting, amidst fragments and ruins, and rubbish and weeds, for the lost and neglected tomb of Archimedes, one sees how little the fame of that man was indebted to his monument, and how much more his monument to his fame.'

But the occasion was at length arriving when Perceval was to take part in a very different controversy to any of those in which he had been so frequently engaged at the 'Crown and Rolls.' The death of Lord Northampton, in April 1796, raised his son, Lord Compton, to the House of Lords. A vacancy consequently ensued in the representation of the Borough of Northampton; and Perceval, a near kinsman, the Deputy-Recorder of the borough, and a young man of capacity and promise, was selected as Lord Compton's successor. The election was on the eve of a dissolution, and it was not apparently thought worth while seriously to contest a seat, when a general election would immediately afterwards afford a better opportunity for disputing it. Perceval's return was consequently in the first instance unopposed; but Parliament was almost immediately afterwards dissolved, and the young lawyer found himself under the necessity of again appealing to his constituents.

The second election, which occurred immediately afterwards, was of a different character. Three candidates contested the two seats, Edward Bouverie, a

son of Lord Radnor, a Whig; Mr. Walcot; and Perceval. Each candidate was apparently independent of the other, and Bouverie and Perceval were ultimately returned; Perceval, on his part professing himself grateful even for the trouble and expense which the contest had occasioned; because it had enabled him to distinguish those 'summer sunshine friends, who lend their notes of acclamation and voices of applause when the sky is clear and the prospect around is cheerful, but who in a change of season are not to be found.'

CHAPTER II.

IN PARLIAMENT.

1796–1798.

Mutinies of the Fleet—Punishment of the Chief Offenders—First Appearance in Parliament—Debate on the Subsidy to the Emperor of Austria—Perceval a Supporter of the War with France—Termination of Negotiations with that Country—Fox's Motion for Repeal of the Treason and Sedition Bills—Question of Parliamentary Reform—Retained for the Prosecution of Binns—Pitt's Scheme for Trebling the Assessed Taxes—Opposition of Fox—Reply to Sir F. Burdett's Speech on the War—Pitt's Opinion of Perceval—Land Tax Redemption Bill—Irish Outbreak of 1798—Official Appointments.

THE new Parliament was opened on the 27th September, 1796: but it was not till the 20th of the following May that Perceval's name first occurs in the pages of Hansard. The successive mutinies of our fleets, both in the Channel and at the Nore, were then exciting a widespread consternation throughout the country. The offer of a free pardon and increased wages had had, indeed, the effect of restoring some of the crews to their allegiance; but others still held out, and persisted in the most violent and treasonable conduct. There was reason to believe that they were encouraged in their disobe-

dience by secret incendiaries; and it was against the latter that the Government wisely determined to proceed. Pitt proposed that any attempt to excite sedition or mutiny in His Majesty's service, or to withdraw any part of His Majesty's forces by sea or by land from their duty and allegiance, should be an aggravated species of misdemeanour; leaving to the discretion of the Court the power of inflicting not only the penalty of a fine and imprisonment, but, as circumstances might require, the punishment of banishment and transportation also. Serjeant Adair, on the contrary, desired to make the offence felony, by a temporary law; arguing with much good sense that, as it was in the power of the offender on the charge of misdemeanour only to delay trial, there would be difficulty and delay, if Pitt's proposal were carried in its integrity, in bringing the delinquents to justice. The objection was evidently forcible, and carried weight till Perceval rose. 'A mean,' he pointed out, 'might be adopted between the propositions of the Chancellor of the Exchequer and that of his honourable friend. He thought that it would be better if the offence was denominated felony, but within the benefit of clergy, and that there should be a discretionary power either of transportation or imprisonment, or, if necessary, of death.'[1] The suggestion was adopted, though the adoption of the proposal was not the only effect of the speech. 'The speaker's figure,' wrote the 'National Advertiser'

[1] Parl. Hist. xxxiii. 810.

fifteen years afterwards, 'was not commanding, but graceful; his delivery not dignified, but easy: the clearness and melody of his voice; the unaffected placidity of his manners; and the benevolent nature of the sentiments he expressed gained upon the ear and heart of all parties. He did not enforce, he won conviction. The propriety of his suggestions was admitted; and the beneficial amendment, which he proposed, was adopted.'

'The satisfaction with which he had been heard,' the writer goes on, 'and the attention paid to his suggestions, induced him to dedicate more of his time to political matters. He became, in consequence, one of the chief supporters of the administration; and, in the subsequent session, opposed, with the spirit of true loyalty and all the power of eloquence, the introduction of French Revolutionary principles. He vindicated the policy of the war, and the propriety of the measures, to which the necessity of carrying it on with vigour gave birth; and frequently defeated and silenced the most violent members of the Opposition.'[1]

Such, on the indirect authority of Hansard, and, according to the more direct statement of the memoir, which was published immediately after his death, was the first occasion on which Perceval spoke in Parliament. The writer of the memoir, however, probably derived his facts from the History, while it is certain that the History did not

[1] 'National Advertiser,' 20th May, 1812.

attempt to report all the speeches that were made in Parliament. There are good grounds for assuming that Perceval had previously spoken in more than one debate. Towards the close of the previous session, Pitt had applied for a vote of credit to meet unforeseen expenditure: and, immediately after the dissolution, had devoted some portions of it to subsidising the Emperor of Austria. The subsidy, strictly speaking, was, to say the least, irregular. The irregularity became the greater from the omission of any mention of it on the assembly of the new Parliament in the speech from the throne. An account was ordered, on the 28th November, of the manner in which the vote of credit had been expended; and, on the presentation of the account on the 7th of the following month, the transaction for the first time became known. The ferment, which its publication created, might, perhaps, have been foreseen. On the evening of the 13th December, Fox attacked the Ministry in the House. On the morning of the same day, a resolution, condemning its conduct, was adopted by the City. Backed by this authority, Fox made one of his bitterest and most brilliant speeches. Studiously abstaining from discussing the abstract expediency of the grant, he based his arguments on the safer ground that the House of Commons had alone the power to make it. The Ministry, he insinuated, must have adopted the more irregular course for the

sake of creating 'a precedent against the Constitution.'[1]

Perceval certainly prepared and probably delivered an elaborate reply to this speech. He began it by complaining of the difference between the right honourable gentleman's arguments and the language of his resolutions. If he was justified in saying that the transaction had been deliberately planned for the purpose of introducing a principle and a precedent, he was not justified in 'calmly and coldly' dropping in his resolution 'all these circumstances of aggravation.' The necessities of the occasion were, he insisted, sufficient to justify the expediency of the grant. It is impossible to doubt 'that the measure was for the public good; that it was wisely and honestly adopted in the common cause; and that every man in this nation, who has at heart the success of his country in the present contest, does at this hour sincerely rejoice that it was taken.'

That this speech (unquestionably the first which Perceval prepared for delivery in Parliament) was actually spoken is certainly probable. It is, in the first place, very unlikely that a young lawyer with a large and increasing practice should have been at the pains to elaborately write out a long speech and then refrain from making it; but, in the next place, the debate commenced on the Tuesday and

[1] Hansard's Parl. History, vol. xxxiii. 1297, &c.

was not concluded till 3 A.M. on the following Thursday, when Fox's motion was rejected by 285 votes to 81. It is certain, therefore, that many speeches must have been delivered of which no record now exists. It is fair to presume that one of these may have been the speech which, as the rough draft still in existence proves, Perceval certainly prepared for delivery on the occasion.

Such, then, notwithstanding the indirect testimony of Hansard, was in all probability the first occasion on which Perceval addressed the House. It is interesting to see that, in the first speech which he prepared, and, in all probability, in the first which he delivered, he committed himself to an uncompromising support of the great war with France, which was the distinguishing feature of his policy from the commencement to the termination of his parliamentary career. About a fortnight after this speech had been delivered, the King sent a message to the House, announcing the termination of the negotiations with France.[1] There can at this time be very little question of the extreme moderation which the English government had displayed throughout these negotiations. Our original advances through Mr. Wickham, our envoy at Basle; our subsequent negotiations through the neutral government of Denmark; the despatch of our plenipotentiary, Lord Malmesbury, to the French frontier, in accordance with the suggestion of the French

[1] Commons Journals, 26th Dec., 1796.

Directory; and our offer to cede some of our most important conquests—St. Domingo, Martinique, St. Lucia, and Tobago—and to retire from the territory which our troop swere occupying in Italy, stipulating only that France should yield to Austria the line of the Moselle, contrast favourably with the resolution of the Directory that any further negotiations should be conducted on the basis that any territory which had, even temporarily, been occupied by France should be regarded as part of the indivisible Republic. Even if Lord Malmesbury had not been dismissed from Paris, the arrogance of the French Republic would have sufficiently demonstrated the impossibility, at this juncture, of concluding an honourable peace.

But the Opposition thought otherwise. Erskine immediately rose to oppose the Ministry. Pollen, on the 10th April, again urged the conclusion of peace; while, on the 19th May, Alderman Coombe followed up the attack with an address to the King, praying him to dismiss his present ministers, 'as the most likely means of obtaining a speedy and permanent peace.'[1] Notes still exist of a brilliant and characteristic speech prepared by Perceval for delivery on the occasion. He denied in it every proposition which the mover of the Address had advanced. The ill-success of our allies in Germany and France had, he showed, been compensated by our own happier fortune at sea. Though the Bank had been com-

[1] Parl. Hist. xxxiii. 554.

pelled to suspend cash payments, its credit could not be said to have gone: indeed—and the argument deserves quoting—'it is rather odd that, when the paper circulated under circumstances which enabled the holder to convert it immediately into gold, it should be proof of the great credit and reliance which was given to the solidity and solvency of the Bank; and that now, when it circulates under circumstances which compel the holder of it, if he takes it at all, to take it under an inability of converting it immediately into gold—that this should prove that the credit of the Bank was gone. To contend this must be to contend that it is a less proof of credit to be trusted for an indefinite period than to be trusted for an hour and a day.'[1]

The main object of the motion he resisted on the ground that the removal of Pitt would necessarily involve the installation of Fox in office. The latter was pledged to a policy of Parliamentary Reform, and to the Repeal of the Treason and Sedition Bills of the previous year. Such a policy was so objectionable that it was impossible to pave the way for it; and those who agreed with him on this point—whatever opinions they might entertain of the con-

[1] The argument of course is far more ingenious than sound. It was an exaggeration to imply that our credit was better, though cash payments were suspended. But the exaggeration was the best possible illustration of the incorrectness of the argument that our credit was lost because our paper could not at any moment be exchanged for cash.

duct of the war—had, consequently, no alternative but to support the Ministry.

An opportunity almost immediately occurred for the direct statement of his opinion on the two points which thus chiefly influenced him in desiring to retain Pitt's Ministry in power. Immediately after the division on Alderman Coombe's motion, Fox moved for the repeal of the Treason and Sedition Bills. The motion had been long on the notice paper, and had been postponed from time to time on the ground that it would not have had a fair reception when men could think and talk of nothing but the suspension of cash payments.[1] The speech in which Fox commended his proposal was unusually powerful. Even in his speeches it is difficult to find more stirring language than in the grand passage in which he called on Pitt to tell him, 'If freedom is not as conducive to order and strength as it is to happiness? Say so! and I will enter the lists with you and contend that among all the other advantages arising from liberty are the advantages of order and strength in a supereminent degree. Liberty is order! liberty is strength! Good God, Sir! am I to be called upon on this day to illustrate the glorious and soothing doctrine?'

It is easy now to see that Fox was in the right, and that Pitt's repressive acts were unjustifiable because they were unnecessary. But, however clear this may be to us now, it is fair to remember that

[1] Parl. Hist xxxiii. 615-619.

contemporary statesmen had less opportunity of arriving at a correct judgment. The sailor, who, with a falling glass and a threatening sky, lowers his topmasts and stands out to sea, may possibly be over-cautious; but we do not blame him for wasting time from an excess of caution. The Habeas Corpus Act has certainly been suspended without necessity on more than one occasion; but the historian, writing after the event, has rarely ventured to find fault with the minister who was obliged to act in the presence of it. So, too, with Pitt's Repressive Acts. We can see now that the storm might have been weathered without any recourse to exceptional machinery, but it does not follow that the extent of the danger could have been ascertained at the time.

'I defend these acts,' wrote Perceval in the draft speech which he prepared and probably delivered in the debate, 'as a temporary sacrifice of one of the means of constitutional security for the preservation of that constitutional security itself.' The House adopted the same view: Fox was beaten by 260 votes to 52; and the Repressive Acts remained in force.

Four days afterwards the second of the two subjects, which had induced Perceval to resist a change of ministry, came before the House. For the first time since 1793 Grey introduced the subject of Parliamentary Reform: his scheme was a very large one,—the enfranchisement of copyholders and leaseholders of a certain value in counties, and the insti-

tution of household suffrage in boroughs.[1] And here, again, we must remember that there is some danger of our sympathies running away with our judgments. Now that the county franchise, which Grey suggested, has been in operation for forty years, and that we have succeeded in establishing in boroughs the extended suffrage, which the Reformers of 1797 merely suggested as a possibility, it is no doubt easy to assume that Grey's proposal was moderate. But, if it be an error in statesmanship to be too late in conceding a reform, it is a still graver mistake to be too early in initiating it. The real test of the necessity of a reform is the strength of the demand for it; and in the few rough notes, which still exist in Perceval's handwriting, of a speech evidently prepared for delivery on this occasion, he properly placed the question on this footing. 'I am told,' he wrote, 'that it will conciliate a large majority: I believe that those who wish for it are not a large majority, but, on the contrary, a minority. And, when gentlemen talk of doing this to conciliate, you should consider how many you will alienate,'—language which has, of course, been repeated by a long succession of reactionary statesmen, but justified in 1797 by the circumstance that for more than thirty years afterwards—the lifetime of an entire generation—no signs were visible of any real popular desire for reform.

Perceval probably on this occasion felt the more

[1] Parl. Hist. xxxiii. 667.

strongly, because he had been lately retained by the Government to conduct the prosecution of a man named Binns, an emissary of the Corresponding Society of London. Binns had delivered an inflammatory speech at Birmingham on the 11th March, 1796. The speech was ostensibly directed to the promotion of Parliamentary Reform. In the course of it Binns, according to the indictment, had stated that His Majesty and His ministers are well convinced that annual parliaments and household suffrage are most conducive to the happiness of the people; that they had granted this very remedy in Corsica which they were refusing to the King's natural subjects; that it was consequently the duty of all citizens to use every peaceful means in their power to secure these legitimate ends; but, if the King and His ministers continue obstinate, 'there should be a time when force is necessary to be used: then he hoped, that every man in that room would be ready to shed blood.' The trial was originally fixed for the spring assizes, but was ultimately postponed till the following summer. Binns was defended by Romilly with considerable ingenuity. The two witnesses subpœnaed on behalf of the Crown did not, he showed, agree in their statements. One swore that Binns had stated that household suffrage and annual parliaments were *most conducive* to the happiness of the people; the other that these reforms were not inconsistent with such a result. The one swore that Binns had referred to the opposition of the King

and ministers as justifying a resort to bloodshed; the other that he had only alluded to the opponents of Parliamentary Reform. Perceval replied, with much good sense, that these variations were not inconsistencies: no two men could be expected to describe a speech made a year before in precisely the same way. Romilly, upon this, called six witnesses for the defence, all of whom agreed precisely in their account of what had passed. The meeting, they said, was solely in favour of Parliamentary Reform. Peaceful means were the only machinery which Binns had recommended for obtaining it. There had, indeed, been one reference to the necessity for bloodshed, but it had solely related to the possibility of a bad minister doing away with the liberty of the press and trial by jury. Sir W. Ashurst, who tried the case, told the jury that, should any minister attempt to do away with these privileges, it would be the duty of every peaceful citizen to take up arms.[1] The trial had already lasted twelve hours, when the judge concluded his charge. After deliberating for three hours more, the jury returned a verdict of Not Guilty.

It is impossible to read an account of this trial

[1] So, at least, Sir W. Ashurst is reported to have said. If he really did say so, he can hardly have thought out his speech with the care which would have been becoming to him. Peaceful citizens, Sir W. Ashurst must have known, should act through their representatives in Parliament. The proper course with a bad minister is to turn him out, and a judge should be the last person to advise an appeal to force.

without perceiving that the Ministry was ill-advised in hazarding a prosecution. However reprehensible Binns' language may have been, his speech was contemptible. The meeting, at which it was delivered, was only attended by fifty or sixty persons; and Binns was an obscure man, whose reputation would not have extended beyond the narrowest of circles, if a fictitious importance had not been imparted to his proceedings by the action of the ministry. But, on the other hand, we must remember that, however much we may be disposed to blame the Government, Perceval was not responsible for their decision. His only connexion with the cause was his brief; his only duty to use every effort to obtain a conviction. He failed, partly because the case had been badly prepared by the Treasury; and partly, we may presume, from the natural reluctance of a jury to convict the obscure emissary of a powerful society of a political crime.[1]

Parliament was prorogued on the 11th July, and did not reassemble till the 2nd of the following November. Early in December Pitt proposed his famous scheme for trebling the Assessed Taxes. The scheme was so regulated[2] as to fall only partially

[1] Binns was subsequently indicted for treason at Maidstone, in common with O'Coighley, Connor, &c. But fortune again befriended him. O'Coighley was hanged; Connor transported; but Binns was again discharged. The trial, on which Perceval was engaged, will be found fully reported in Howell, vol. xxvi. p. 595.

[2] The tax was not literally trebled. In those cases in which

on the poorer classes of tax-payers. It was calculated to raise the yield of the Assessed Taxes from 2,700,000*l.* to 8,000,000*l.* a-year. The plan met with the warm approval of the majority of the House; but it was assailed with unusual bitterness by the Opposition. Fox, in deference to a request from his constituents, returned from his secession to oppose it. His return was marked by an unusual incident. Wigley was speaking; and a burst of applause, which interrupted the speaker, announced the great man's approach. Fox spoke late in the evening; and naturally was at pains to account for his retirement. 'No services,' he argued, 'which any individual can render by his attendance, will counterbalance the mischiefs which must arise from giving countenance to an opinion that the decisions of this House are always the result of full discussion. . . . Nothing short of a total reform of our late system; nothing short of our reverting to the principles of the constitution, to the popular maxims of our ancestors, can save us from utter ruin. Seeing that by my attendance I was unable to prevail on the House to adopt these principles, I omitted to attend; but I attend this night in consequence of what to me at least is an important sentiment—

it only amounted to 1*l.* it was raised to 1*l.* 10*s.* Where it amounted to 2*l.* it was increased to 3*l.* Payments of 3*l.* and upwards were trebled; those of 4*l.* and upwards quadrupled. The scheme was, according to modern notions, in many ways imperfect; it was abandoned in the following year.

the propriety of yielding to the request of my constituents.'[1]

Perceval seems to have intended to have spoken immediately in reply; for there is a draft speech still in existence in which, in reference to some of Fox's arguments, he deprecated the discussion of details until the House was in committee. For some reason or other, which it is impossible to ascertain now, the intention was not carried out; and the opportunity, which Perceval desired, never occurred till the third reading of the bill on the 3rd and 4th of January, 1798. The long interval, which thus elapsed, afforded him unusual time for preparation. The rough notes for the speech on the second reading, and the more careful draft of it which he had subsequently prepared, were both discarded; and a new speech, occupying forty pages of foolscap (part of which, however, was a nearly literal transcript of the previous one) was prepared. Primed with this carefully considered document, Perceval went down to the House on the 3rd January. On that evening, however, Burdett made a bitter attack on the Ministry,[2] 'I would oppose the granting of supplies,' he said, 'because I detest the purposes they are intended to promote,—the prosecution of this disgraceful war; and the support of an infamous system of corruption. These are the accursed ends for which the people of this country are to groan beneath a load of increased taxes.' The

[1] Parl. Hist. xxxiii. 1100 and 1110. [2] Ibid. p. 1156.

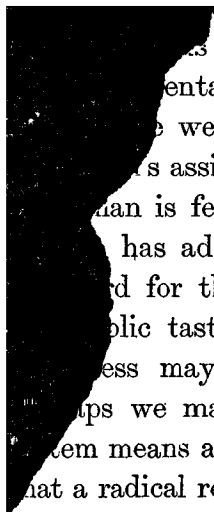
partakers of the present system of abuses were aware that the establishment of a wise and frugal 'government in France might possibly infect the people of this country with a desire to see their affairs administered in a wise and frugal manner.' Perceval determined, before replying to Fox, to notice this wild declamation of Burdett. The adjournment of the debate, from the 3rd to the 4th January, afforded him the opportunity, which at this period of his career he seems to have uniformly desired, of committing his speech to paper. He accordingly drew up four pages of foolscap to precede the delivery of the forty which he had previously prepared. After noticing Burdett's attack on the war, he went on to ask, 'In what stage of it does the Honourable Baronet feel himself impelled by his duty to declare against the war? when there is an army of England embodied on the opposite coast; when a French invasion,—with all the train that attends a French invasion,—is openly threatened, and directed against the existence of this nation.' With still more force he proceeded to deal with Burdett's argument that the Ministry had plunged into the war from a fear of the consequences which the prudent and frugal administration of affairs in France might entail on this country. 'What, sir,' he asked, 'is the fact? While the government of France was provisional, while their theories of economy were left untried, this government was at peace with them; and it was not until

their theories were brought into practical operation, and the promise of economy was kept in the most extravagant profusion, that this country did go to war.'

From replying to Burdett, Perceval proceeded to deal in detail with Fox. He did not, he premised, think this a fitting opportunity for entering into many of the topics which had been brought forward in that debate; though he admitted that honourable members on the other side of the House had an excuse for doing so which did not apply to himself. 'The attendance of the right honourable gentleman seems to depend upon this question,—how far he shall think it right, in obedience to his constituents, to do what he thinks wrong. . . . But other gentlemen, whose attendance does not depend upon any instructions of their own constituents, but upon some sense of duty, best known to themselves, of following the example of the right honourable gentleman, cannot be expected to be able to conjecture what it may be their duty to do on any other day. Upon the propriety of gentlemen seceding from their duty in this House, and particularly at the present moment, I do not feel disposed to detain the House with many observations . . . . One ground, stated by the right honourable gentleman, seems to me to be the very last that should be urged by a man of any serious thought in defence of such conduct. He says that his absence is justified because his opinions, had he

been present, would have been overruled by the majority of this House. If the very reverse of this statement were the truth, it might afford, perhaps, some excuse for their absence. If they felt that those they left behind them expressed their sentiments, gave effect to their opinions, acted upon their principles, they might then find an excuse for their absence in saying and feeling that the country lost nothing by it. . . . But to withdraw their light from the country when they think she is in darkness without it; to withhold their advice when they think that the counsels that are pursued are wrong . . . is not reconcilable with any principle of enlightened duty. If indeed their opposition is not directed against the measures but the men; if all their opposition aims at, is not the public advantage of the country, but the individual advancement of themselves, then indeed it is no difficult matter to account for their abandoning a course of service, in which their expectations have been soured by disappointment, and in which they are supported by no strong sense of duty or of conscience. . . . But, had the objects of their pursuits been of a more enlightened nature, such discouragement could not have had the same effects; then the great incitement to their exertion would have been a sense of duty, its great reward the consciousness of having discharged it.'

From dealing in this manner with Fox's secession, Perceval went on to consider his demand for



then,' he asked, in a passage which in the debate, 'is this total radical ental reform of the whole system, which we must pay for the right honourable s assistance? . . . The right honourable an is fertile in explanation when any phrase has adopted seems to be rather too strong d for the public ear, too highly seasoned for lic taste; and perhaps this ingenuity and ess may be exercised on this very phrase. ps we may hear that a reform of the whole em means an alteration only in some of its parts; at a radical reform meddles only with the branches and the trunk, and has no concern with the roots; that a fundamental reform leaves the foundation entirely untouched. But, sir, put it for the moment that it is capable of this innocent interpretation, the mischief and danger of this ambiguous expression . . . arises from this—that it is capable of, and most easily offers, an interpretation of a very different description; and—let the right honourable gentleman explain away the meaning of it as much as he can—every reformer in the country, be his plan ever so wild; let it reach to whatever extent of revolutionary violence and subversion—will find in these words of the right honourable gentleman countenance for his opinions.'

It seemed necessary to give some comparatively long extracts from this speech, because it is characteristic of the peculiarly antithetical style of Per-

ceval's earlier efforts; and because
unquestionably made a considerable
the House. Sheridan rose almost imm
reply. 'The honourable gentleman, wh
celebrated for epigram, has made a very p
upon these (Fox's) words.' A remark whi
ficiently shows that Perceval had previously a
a reputation for epigrammatic speaking, and
wholly inconsistent with the indirect testi
Hansard that this speech was, with one ex
the first that Perceval had delivered in Parlia
Later in the evening, Fox followed in a sin
strain. 'I now come,' he said, 'to complain a litt
of the conduct of an honourable and learned gentleman who has made a very ingenious speech this night. . . . He complained of the ambiguity of my words on a former occasion. Why did he not make the complaint earlier? Why take three weeks to make an epigram on my speech?' The debate was protracted till a late hour; the division did not take place till 5 A.M. on the following morning: the third reading was then carried by 202 votes to 75: Perceval — the fact affords additional evidence of his increasing weight—being a teller for the majority.[1]

The indirect praise of Sheridan and Fox sufficiently proves the degree of estimation in which Perceval's abilities were at this time held by his

[1] Commons Journals, 4th January, 1798. Perceval had previously been a teller on a comparatively unimportant division on the Stamp Duty Acts. Ibid. 30th Dec. 1797.

political opponents. The character of the speaker was beginning to rise; his political knowledge was rapidly increasing; his original diffidence was disappearing with success; and he was acquiring ease and confidence in debate. But the expectations which were formed of the young lawyer at this period may be gathered still more accurately from the following anecdote. Five months after this speech, Pitt fought his famous duel with Tierney. Ryder, subsequently Lord Harrowby, was the great minister's second; and, perhaps naturally, spoke to him of the consequences to the country should Pitt fall. 'Whom did he consider capable of filling his situation in case the country should have the misfortune to lose him?' Pitt paused; but, after a little reflection, replied, 'He thought Mr. Perceval was the most competent person, and that he appeared the most equal to cope with Mr. Fox.'[1] The opinion is very remarkable; but it tallies with the prediction which Perceval's widow frequently related that Pitt on one occasion had made, 'That young man will be the leader of the House some day.'

The present seemed the proper place for introducing these anecdotes, as Pitt's opinion was probably formed on this particular speech. According,

[1] The remark will be found in the anonymous Memoir of Perceval (p. 8), published after his death, but suppressed by Lord Arden. The anecdote was related by Lord Harrowby to Mr. Dudley Perceval, and published by the latter in his Reply to Napier.

indeed, to Hansard, Perceval did not again address the House until after Pitt's duel. But, notwithstanding the silence of Hansard, there can be little question that he had frequently spoken. One of these occasions, it may be inferred from the papers he left behind him, was on the Land Tax Redemption Bill. The main features of Pitt's proposal are familiar to most persons. The Land Tax, at 4*s.* in the pound, produced a revenue of 2,000,000*l.* a-year. The assessment, notwithstanding the alterations in the value of land, had remained unaltered for a century; and there was practically little chance that it would ever be varied. Pitt proposed to offer the proceeds of the tax for sale; the price to be paid for it to vary with the rise and fall of consols. If, for instance, consols were at 50, the tax was to be sold for twenty years' purchase; an arrangement which would have the effect of cancelling 100*l.* of 3*l.* per cent stock by the sacrifice of 2*l.* 10*s.* of land-tax.

The objection, which a modern critic would probably raise to the proposal, is that it has practically prevented future governments from imposing fresh burdens on real property; or, to put it in the language of popular economists, 'from intercepting the unearned increase in the value of land.' It is probable, indeed, if a new land-tax were suggested to-day, that the majority of landowners would regard the proposal as a violation of the settlement of 1798. But the objection would have been impossible at the time because Pitt expressly

reserved the right of Parliament to impose fresh burdens on real property.[1] The opposition, then, to the measure arose from the disinclination of the landed interest to acknowledge the necessity of perpetuating a tax which they fondly hoped it might be possible some day or other to repeal. Lord Sheffield took a peculiarly prominent part in opposing the bill. It was unjust and oppressive, he argued at one moment; it was not likely to have any effect, he insisted on another, because the landowners would be unable to raise the money to enable them to redeem. 'I am at a loss,' replied Perceval, in a speech prepared for, and probably delivered on, the third reading, 'to conceive what the noble lord can mean.' If he 'should prove that the measure will be inoperative, it requires a great deal more of prejudice than understanding to be convinced at the same time that it is oppressive.' Perceval went on to examine the effect of the three cases possible under the Bill—of the landlord who redeemed himself; of the landlord who allowed some one else to redeem; and of the landlord where no redemption took place. The third case would obviously leave matters where they were; the second would only involve the transfer of an existing payment to the Government to some other person; the first would secure the landlord an annuity for twenty years' purchase: none of these would consequently be oppressive. Nor was there

[1] Parl. Hist. xxxiii. 1366.

any force in the argument that the bill was perpetuating a temporary tax. 'Let any gentleman who urges this argument seriously consider what thought he has that this tax will be reduced, and then he may estimate the weight of this alteration in it.'

Perceval seems subsequently to have spoken a second time on this Bill. Some one appears to have raised an objection, which has not been recorded in any history, that, as the abstraction of stock would tend indirectly to benefit the fundholder, members who held stock ought to refrain from voting upon it. 'If it be true,' replied Perceval, 'that the expected benefit to be derived by the stockholder from this measure disqualifies him from voting for it, any expected detriment to be experienced by the landowner would equally disqualify him from voting against it. In short, sir, this mode of reasoning would tend to establish an opinion . . . . that the only persons that are so free and unprejudiced in their circumstances as to be capable of legislating are those who have no property at all.'

But a greater question than the redemption of the land-tax was at this time ripe for consideration. It is unnecessary in the present place to enter into the causes which led to the Irish outbreak of 1798. It is sufficient to say that the convulsion, which had shaken society in France to its foundations, was more or less acutely felt in every country of Europe. Its effects were, of course, most visible where a

corrupt and unjust government had created a deep-seated desire for change; and unhappily in Ireland an unjust and corrupt administration was supported by a corrupt and unreformed Parliament. Whether the different policy, which was inaugurated by Lord Fitzwilliam in 1795, would have averted the troubles of 1798, it would be difficult to decide. We may at least admit that the conscientious scruples of the King, which led to Lord Fitzwilliam's recall, hastened the actual revolt. But the rebellion might have occurred if the reforms had been carried out. We have in our own time seen that the memory of a grievance lingers long after its removal. The smouldering discontent, which religious inequality had created, might possibly have been fanned into a flame, if the Romanists had been previously relieved of their most conspicuous disabilities.

The effect of the revolt in this country was striking. The English were thoroughly alarmed; energetic measures were at once seen to be necessary; stirring debates took place in Parliament; and Fox, who since the passage of the Assessed Taxes Bill had again absented himself from the House, returned to take part in the proceedings of Parliament. Unfortunately for his reputation, the conduct which he pursued at this juncture was unworthy of a great statesman. The evident duty of every Englishman—whatever political opinions he might profess—was to assist in the suppression of a rebellion which was threatening the integrity of the

empire. Fox, on the contrary, seems to have regarded the insurrection as a fitting opportunity for embarrassing the Government. Three important debates took place on Irish matters in the month of June.[1] The first, on a motion of Sheridan's that a committee be appointed to take into consideration the state of Ireland; the second, on an offer communicated to the House of some militia regiments to serve in Ireland; the third, on a motion of Lord G. Cavendish's for a change of system in Ireland. On the first and third of these occasions strangers were excluded from the House. On all three of them, Perceval seems, from the drafts in his papers, to have spoken. He resisted Sheridan's motion on the obvious ground that its success would strengthen the position of the insurgents. He examined, in the second debate, what was termed the constitutional objection to the militia going to Ireland: the service in Ireland, he concluded, was 'within the spirit of the Militia Act, without being within the letter of it.' His speech on the third occasion was of more importance. Lord G. Cavendish had repeated the objections which had been advanced a few nights before to the employment of the militia in Ireland. 'It appeared to me, I must confess, strange,' replied Perceval, 'that the noble lord should have thought it necessary to recall this subject to our attention so soon after the former discussion. . . . . I cannot but suppose that his

[1] Parl. Hist. xxxiii. 1487 and 1513.

principal object was to give the honourable gentleman (Mr. Fox) an opportunity of delivering his sentiments upon it, which, important as it seems to him now, was not of importance enough last Wednesday to induce him to give himself the trouble of attending his duty in this House. . . . Many gentlemen, I have no doubt, who heard with regret the violent language of the honourable gentleman, have felt some considerable satisfaction in remembering that there were no strangers in the House when it was uttered. I own, sir, I feel differently on this occasion. I wish the gallery had not been cleared. I should have wished to have enlarged the walls of this House, and should have been glad that every man in England had heard the speech of the right honourable gentleman. . . . . Because I think it is now too late for such language, or any language, to do mischief in Ireland. . . . . But, though it might have no effect of mischief in Ireland, it might have the effect of good, both in Ireland and Great Britain . . . . by its being known that the most strenuous advocate for the measure was one who would not allow that the rebellion of the present hour was any rebellion at all.' After this characteristic attack on Fox, he went on to notice the argument that the 12,000 militia could not be spared from Great Britain. Even if a French invasion were probable that contention would not be just, 'because the force of this country, though reduced by the 12,000 men, would be better able to contend against

the French, with the rebellion in Ireland suppressed and kept under, than it would with the 12,000 men in this country, whilst Ireland was a rendezvous for the French invader.' In the rest of his speech Perceval endeavoured to show that the insurrection was directly connected with the French Revolution, and promoted by the influence of the French. In the interests of the rebels themselves he concluded that it was desirable that the rebellion should be put down, and this could not be done effectually except by an exertion of English strength.[1]

The notes for the second of these three speeches were written on the back of a private letter, in which the writer had commented on a technical difficulty, of no general importance, which had arisen in the appointment of Perceval's old tutor, Dr. Mansel, to the mastership of his college. Mansel owed this advancement to the solicitations of his old pupil, and the circumstance is worth mentioning, because it illustrates the latter's growing influence. 'Don't raise your hopes too high,' he wrote to Dr. Mansel, after an interview with Pitt on the 10th May, 'I am *by no means* sanguine in my expectations, but the application has been most kindly received in point of *manner*, and certainly not in any degree so as to discourage another if this should fail. God bless you!'

Mansel obtained the appointment he was seeking. Perceval himself, in the course of 1798, re-

[1] Perceval Papers. Cfr. Parl. Hist. xxxiii. 1518.

ceived two fresh offices. He was appointed Solicitor-General to the Queen, and he was made Solicitor to the Board of Ordnance. 'I am more immediately indebted,' he wrote to Lord Arden, 'to the King's own special favour for this piece of preferment (the Solicitor-Generalship to the Queen); yet I think it proper for me to write to Pitt on the occasion, and perhaps also to the Chancellor.' The second of these appointments he owed to Lord Cornwallis, who selected him for it on Serjeant Adamson's retirement. 'Nothing,' he wrote to Lord Arden, 'could have been more unexpected by me, for I really did not know that there was such a place; and had I known it, I certainly should not have expected it to be given to me.'

CHAPTER III.

IN PARLIAMENT (*continued*).

1798-1800.

Reassembling of Parliament—Pitt's Proposed Income Tax—Debate on Tierney's Address to the Crown respecting Negotiations for Peace—Forfeiture for High Treason Bill—Rejection of Napoleon's Overtures for Peace—Prophetical Studies—Sheridan's Motion for Inquiry into the Causes of the Failure of the Duke of York's Expedition to Holland—Debate on the Conduct of the French Roman Catholic Emigrés—Projected Company for the Manufacture of Flour and Bread—Singular Scene—Bill for the Better Prevention of Adultery—Various Parliamentary Appearances—Union with Ireland—Conclusion of the First Period of Perceval's Political Career—Professional Advancement—Emoluments at the Bar—Peter Plymley's Amusing Description of Perceval's Family.

PARLIAMENT had been prorogued within a week after the conclusion of the debate on Lord G. Cavendish's motion. It did not again assemble till the 20th of the following November. The circumstances, under which it then met, were more favourable than those under which it had separated. The great victory, which Nelson had gained on the first of the preceding August at the mouth of the Nile, had definitely checked the progress of French arms in the East. The suppression of the Irish rebellion had rewarded

the vigorous efforts of the Ministry. The earlier days of the Session were occupied with congratulatory addresses to the Crown; the voting of thanks to Lord Nelson; and the discussion of the Estimates. The real struggle of the Session did not commence till the 3rd of the following month, when Pitt proposed his famous Income duty. 'The natural desire,' he told the Committee, 'to mitigate the pressure of the treble Assessed Taxes, had made the measure of last year slightly less productive than he had originally anticipated; and,' as our leading principle should be to guard against all evasion, and 'to endeavour by a fair and strict application to realise that full tenth which it was our original purpose to obtain,' he thought it better to get rid of the Assessed Taxes altogether, and to substitute for them a plain tax on income. Incomes of 200*l.* a-year and upwards he proposed should be taxed 10 per cent; incomes of 60*l.* a-year and under he suggested should be excused altogether. For intermediate incomes he contemplated a graduated scale, varying in accordance with their amount. Placing the income of the country at 102,000,000*l.* a-year, he felt himself justified in relying on a revenue from the tax of a little over 10,000,000*l.*; or of more than sufficient to cover one-third of the entire deficit of the year, which, it had been estimated, would slightly exceed 29,000,000*l.*[1]

The proposal excited a fainter opposition than

[1] Parl. Hist. xxxiv. 1–23.

that of the previous Session. Hobhouse, indeed, on the report of the Committee being brought up on the following day, briefly recapitulated the leading objections to taking income alone as a basis for taxation.[1] But the first and second readings of the Bill were passed on the 5th and 6th of December, without attracting sufficient attention to induce the compiler of the 'Parliamentary History' to notice them. The Bill was committed on the 7th; discussed more or less feebly on the 22nd and on the 27th; and read a third time on the closing day of the year; only two members voting against the third reading. Perceval wound up the debate on this occasion, contending that 'the measure would cut up by the roots all the hopes the enemy entertained from the downfall of our funding system;' and was a teller for the majority in the division that followed.

While these debates on the income duty were progressing, Tierney proposed on the 14th December an address to the Crown: 'That it is the duty of His Majesty's Ministers to advise His Majesty in the present crisis against entering into engagements, which may prevent or impede a negotiation for peace, whenever a disposition shall be shown by the French Republic to treat on terms consistent with the security and interests of the British Empire.'[2]

The debate is only partially reported in Hansard; Tierney's speech, which was chiefly occupied in replying by anticipation to the constitutional objec-

[1] Parl. Hist. xxxiv. 24, 26. [2] Ibid. 33.

tions which might obviously be urged against his motion; a most exhaustive and brilliant reply by Canning; and a short argument of Jekyll's being alone given. A carefully prepared draft, however, among Perceval's papers justifies the assumption that he spoke early in the debate. He referred, in this draft, to the explanation which Tierney had endeavoured to give to the language of his motion. 'I scarce ever recollect,' he wrote, 'a motion brought forward, which the mover was so disposed to rest on its negative merits. "I have not stated that no treaty was to be made; but only no such treaty as would impede the negotiation for peace upon proper terms. I have not said what those terms are; but have adopted such a description of them as must be agreeable to every possible description of man. I have, in short, so neutralised my motion; I have so qualified it; I have so softened and lowered it from what I should have liked to have had it; that I do hope the House will receive it."'

The qualified and cautious language of the resolution, however, did not lessen its mischievous tendency, which could only be measured by 'the inferences which must be drawn from it, not only in this country, but throughout Europe.' In substance, the resolution only bound the Ministry to refrain from advising the Crown to enter into engagements which might possibly impede the negotiation of a peace consistent with the security and interests of the empire. But the Ministry alone could judge

whether terms, with which they only were acquainted, would be consistent with our security and interests: the literal meaning of the resolution, therefore, was that the Ministry 'are not to disable His Majesty from making peace upon the terms they would approve themselves. . . . Does the honourable gentleman really mean this, and no more? Does he propose a question upon long notice and after much deliberation? Does he argue with the utmost exertion of his talents and his eloquence to prove it? Does he disturb the repose and quiet of his friends, break in upon their retirement, interrupt their secession, that they may support him in discussing a truism which no man alive can dispute?' It is obvious that the meaning of the resolution must be sought beyond the expression, and that 'it will be unquestionably understood to mean either that this country should enter into no treaty at this moment—as any treaty might impede the making of a separate peace—or at least to enter into no treaty which could in any event prevent the conclusion of such a peace. And can any man be so blind to the events of this period; can he so shut up his mind to the lesson which the history of every separate peace, that has been made by this enemy, is calculated to impress, as to believe for a single moment that Great Britain, in any former period of the war, at this or any future conjuncture of it, could have obtained for herself the least particle of security from insult or injury by a separate

peace? . . . There is no safety for Europe but by the union and combination of all against France. . . . It is under our standard that the European powers may still successfully rally for their own preservation. But if we, who have stood firm while they have been retiring, shall show a disposition to retire when they are beginning to rally, they will abandon themselves in despair to the enemy."[1]

The few extracts, which have been given from this speech, will be perhaps sufficient to prove that Perceval was still consistent in his determination to support at any cost the great war with France. His resolution in this respect was so strong that he seems to have uniformly regarded every question of the day as desirable or the reverse in proportion to its probable effect on the campaign. Repressive legislation, oppressive taxation, became equally in his judgment tolerable if they were directed against French principles and French interests. It was to some extent with such a view as this that he seems to have approached the discussions which took place in the session of 1798–9 on the Forfeiture for High Treason Bill. From the earliest periods of our history a conviction for high treason had involved the forfeiture of the property of the traitor. An attempt had been made in the reign of Anne to modify the law. It was, it had been contended, cruel to visit on the children the offence of the

[1] Perceval's Papers. For the Debates see Parl. Hist. xxxiv. 73.

parent; and the property ought consequently to be restored on the traitor's death. It was an obvious answer to this argument that treason was a capital offence; and that, therefore, a stipulation that the traitor's property should be restored on his death to his descendants was really equivalent to an enactment that there should be no forfeiture at all. But feeling in politics has in all ages been a stronger power than reason; and the feeling was so strong that Somers was unable to resist the proposal on principle, but only succeeded in postponing it till after the death of the Pretender. Hardwicke in 1745 took the same view. The change, he persuaded Parliament to enact, should be deferred until after the death of the Pretender's sons. In 1799 one of them, Cardinal York, was still alive. But he was an old man; his death might have occurred at any moment; and its occurrence would involve the termination of a law which his existence did not certainly warrant. For the dangers of 1799 were very different from those of 1745. The fear of a Jacobite insurrection had long since past away. But the existence of treasonable societies was an acknowledged fact.

Abbot, on the 9th May, brought up a Bill for retaining the forfeiture of goods as part of the punishment for treason. The readers of Lord Colchester's diary will be familiar with the interest which the future Speaker took in the matter. The debates are only shortly reported in Hansard. The fact that

Perceval took part in them is not recorded. But the draft speech, which is still among his papers, is at once so characteristic and able that it seems desirable to insert some extracts from it in this memoir. 'The law for which we now contend,' he began, in replying to an objection that the principle of the Bill was new, 'has been the law of this country ever since the period of the Norman conquest; it has been the law of almost all civilised nations in all ages; . . . not that I mean to contend that its antiquity should be its sufficient support, but only that its antiquity affords a fair presumption in its favour.' The real question for consideration, however, 'is not whether our ancestors have done wisely or not, but whether the law which inflicts forfeiture upon the crime of treason is a wise law, and as such ought to be permitted to prevail. Something must unquestionably be done. So long as we continue to be so unenlightened as to consider treason an offence that should be punished, and not a venture to be encouraged; so long as we suffer it to continue at the head of our criminal code—an offence more heinous than common felony—for the sake of our own consistency we must either continue forfeitures in treason, or discontinue them in felony.'

It is indeed urged 'that it is contrary to the first principles of justice to punish the innocent child for the crimes or folly of his father;' and 'to make this objection more strong, it has been argued that inheritance is a natural right. . . . . Those who

think it a natural right will do well to ask themselves what that right is. . . . . If the law of inheritance is a law of nature, which reason indicates to all mankind . . . . there would be no room for those varieties which positive law introduces. Reason would probably dictate the same succession to what our law calls "personal property" as to land. . . . . Will these persons, therefore, tell us what the natural law of inheritance prescribes? Does it give the succession to one son, or to all? to the eldest or the youngest? to the sons only, or jointly with the daughters? Does it give personal property in the same manner as real? I care not how these questions are answered, because, ... by the mere proposing of them, I suggest enough to any thinking mind to satisfy him that either the law of inheritance is the mere creature of positive law . . . . or else that he has a great deal more to do, besides opposing this bill, before the law of England can be made consistent with natural justice . . . . If, then, these gentlemen will follow up their own arguments, they cannot stop short of rendering property inalienable. If it be said that they will not render property inalienable, because the interest of society requires that . . . . it should be liable to alienation; . . . . that admission concedes and demonstrates that every claim of the child upon the property of the parent must be taken subject to all such modifications as considerations of policy and wisdom render it necessary to interpose. . . . . The law marks out the heir,

when the possessor does not mark him out for himself, in order to prevent that disturbance of the public peace which must necessarily arise upon every contest for succession; and the law, on the other hand, allows the possessor to dispose of his property, because the great value of it arises from the power of disposing of it, and that power creates the greatest stimulus to the industry and exertion of all individuals.'

Parliament was prorogued on the 12th July, and, with the exception of a three-weeks' session in September and October, did not meet again till the 21st January, 1800. On the preceding Christmas-day, Buonaparte had taken the unusual course of addressing a letter to the King containing a distinct overture for peace. The Ministry very properly determined that the answer to the proposal should be sent through the Foreign minister, Lord Grenville, but very unnecessarily directed the latter to recapitulate in his reply the numerous points in which the French Government had offended, and to intimate that the most natural pledge for peace would be the restoration of the Bourbons. Notwithstanding the discourtesy of our answer, Napoleon again renewed, through Talleyrand, the overtures which we had refused when made by himself. The Ministry again rejected the proposal. Its rejection gave the Opposition in this country an unusual opportunity. Fox again returned from his retirement, wound up the debate in one of the greatest

of his speeches, and succeeded in mustering the unusual number of sixty-four votes in the lobby.[1] Though the debate occupies nearly 160 pages in Hansard, the report is obviously confined to the three leading speakers on each side—Dundas, Canning, and Pitt, on the one; Whitbread, Erskine, and Fox, on the other. But it is absurd to suppose that one of the most important questions that ever occupied the attention of Parliament was really discussed by only six speakers; and we must consequently assume that the report in Hansard furnishes only partial evidence of particular speeches. That Perceval prepared voluminous notes for the debate is certain, for the notes are still in existence. He based, in them, his defence of the Ministry on the plausible ground that the propriety of rejecting the overture really turned on the probability which its acceptance would have offered of the conclusion of peace. France would obviously gain, we should as certainly lose, from a temporary suspension of hostilities. It was consequently undesirable to suspend the operations of war, unless there was reason to believe that an armistice would lead to its conclusion.

The probability of peace depended partly on the sincerity of the First Consul—partly on his power. A 'mere offer to negotiate to my mind proves nothing . . . . because the advantage to be derived by the enemy from the mere fact of negotiation is

[1] Parl. Hist. xxxiv. 1397.

quite sufficient to account for his offer. . . . . The professions of sincerity will not weigh much more when those professions are examined. We are told, indeed, that the First Consul of the Republic has given many proofs of his determination to maintain the rigid observance of treaties.' But, 'if this First Consul of the Republic is known to Europe for anything besides his military successes, it is for his breach of faith. His conduct towards Venice, guaranteeing the Republic on one day, transferring it to the Emperor the next; his affected prostration to the Pope in Italy; his hypocritical prostration to Mahomet in Egypt; bespeak him void of all principle.' Nor was there any assurance of the stability of the new French Government; while there was every prospect that its successors, should it be overthrown, would disown its policy. 'I do not believe that this Corsican adventurer, brought into the situation as he has been, can continue possibly to hold it. I do not believe that a people, who have now for some years been enthusiastically devoted to a representative government, will contentedly acquiesce in that tyranny which is founded on the very destruction of all ideas of representation. I do not believe that that nation, which has for so many years been enthusiastically pursuing the idea of liberty, will be contented to kiss the rod of that usurper who has dismissed their representatives by an armed force.'

It seems possible that Perceval's opinion of the

instability of Napoleon's government may have been partly increased by the very singular but characteristic study on which he was engaged at the time. Early in 1800 he published, for limited circulation among his own friends, a pamphlet, suggesting the possibility that the concluding verses of the eleventh chapter of the book of Daniel[1] had been fulfilled by Napoleon's career in Italy, Egypt, and the Holy

[1] The passage in Daniel is as follows:—

'And the king shall do according to his will; and he shall exalt himself, and magnify himself above every god, and shall speak marvellous things against the God of gods, and shall prosper till the indignation be accomplished: for that that is determined shall be done.

'Neither shall he regard the God of his fathers, nor the desire of women, nor regard any god: for he shall magnify himself above all.

'And at the time of the end shall the king of the south push at him: and the king of the north shall come against him like a whirlwind, with chariots, and with horsemen, and with many ships; and he shall enter into the countries, and shall overflow and pass over.

'He shall enter also into the glorious land, and many countries shall be overthrown: but these shall escape out of his hand, even Edom, and Moab, and the chief of the children of Ammon.

'He shall stretch forth his hand also upon the countries: and the land of Egypt shall not escape.

'But he shall have power over the treasures of gold and silver, and over all the precious things of Egypt: and the Libyans and Ethiopians shall be at his steps.

'But tidings out of the east and out of the north shall trouble him: therefore he shall go forth with great fury to destroy, and utterly to make away many.

'And he shall plant the tabernacles of his palace between the seas in the glorious holy mountain; yet he shall come to his end, and none shall help him.'—*Dan.* xi. 36, 37, 40–45.

Land. The King, who shall neither 'regard the God of his fathers, nor the desire of women, nor regard any God, for he shall magnify himself above all,' might, Perceval suggested, be the power of Papal Rome; 'the time of the end,' the fall of the Papacy—which there certainly seemed to be good grounds for anticipating—'the King of the South,' the King of Naples, who had been engaged in a contest with the Pope; the King of the North, the French nation. 'Buonaparte had come against the Pope;' and, such was the violence of 'his' conquest, that it might well be compared to a whirlwind: it 'overflowed' . . . . his territories, and 'passed over' to Egypt, and actually invaded the glorious land, Palestine. Nor did the application of the prophecy end here. Napoleon did, as a matter of fact, hear 'tidings, out of the East and out of the North,' of a projected alliance between England and Turkey, which did 'trouble' him; and 'therefore,' or, as Berthier's despatch put it, 'accordingly,' he resolved to march into Syria, and 'destroy' the preparations which had been made for the invasion of Egypt. At this point, too, he did reach—as the prophecy had foretold—the end of his expedition, even if the expression 'his end' had not a wider meaning, and did not 'apply generally to the French power.' 'We may hope,' wrote Perceval—the wish, no doubt, being father to the thought—'that we shall date its fall from the period of its failure' at Acre.

It is, of course, apparent that neither of the two

extracts which have just been given from a speech, and from a pamphlet, are likely to increase Perceval's reputation for political perspicuity. But it seemed necessary to insert the passages; first, because it is the obvious duty of biography to present the subject of it as he really was; and, second, because the view of the prophecy partially explains the opinion expressed in the speech: the latter affords a key to Perceval's policy during this portion of his career.[1]

Seven days after the debate on the rejection of Napoleon's overtures, Sheridan moved for an inquiry into the causes which had contributed to the failure of the Duke of York's expedition to Holland. The motion was resisted by the Government on the double ground that publicity was undesirable; and that two of the chief objects of the expedition — the capture of the Dutch fleet, and the making of an effective diversion,—had been accomplished. Posterity has not endorsed the view which Mr. Dundas thus expressed; but most persons will probably agree that the ill success of the movement afforded a good reason for resisting the inquiry. No nation can afford, during the progress of a war, to investigate publicly the causes of each failure. Perceval wound up the debate for the Ministry in a few sentences, in which he justified the termination of the expedition,

[1] The pamphlet was entitled 'Observations intended to point out the Application of a Prophecy in the Eleventh Chapter of the Book of Daniel to the French Power.' London: Printed by E. Cox and Sons, Great Queen Street, 1800.

and expressed himself satisfied with its results; and was a teller for the majority (216 votes to 45) in the subsequent division.

Perceval certainly spoke on three other occasions during the remainder of the Session. The first and third of these speeches are reported in Hansard; the second is expressly referred to in the anonymous memoir of him, which was published after his death. Some of the French refugees, who had fled to this country from the disorders which were desolating their own, had devoted themselves to the secluded life which has always found favour with devout Roman Catholics. They established monasteries in several of our most considerable towns. The inmates applied themselves to the education of the young; and, perhaps pardonably, though unwisely, attempted to repay the protection which England afforded them by an endeavour to propagate their own tenets. The Protestant portion of the community became alarmed; the jealousy of Papal aggression, which is always dormant among Englishmen, was excited. Was it to be endured that, in Protestant England, Roman Catholic emigrants should abuse our hospitality by perverting our children? Had not the patience of England been sufficiently tried when two Roman Catholic establishments were sheltering themselves at Winchester under the shadow of the venerable cathedral? Sir H. Mildmay, with such language as this, introduced a Bill into Parliament for the pur-

[1] Parl. Hist. xxxiv. 1418 and 1419,

pose of regulating the societies which were being established among us. Angry debates ensued; Windham and Sheridan exerted all their eloquence in opposition to the proposal. Perceval summed up the debate, on going into committee, in a few characteristic sentences. 'It was the spirit of the Catholic persuasion to make as many converts as possible; it was our business to be on our guard against it. There was not a man who had more esteem for toleration than himself; but that did not compel him to lay aside all precautions against the overgrowth of Popery in this country. He would not see the hair of a man's head injured on account of his religious opinions; but that did not compel him to think that Catholics were the best subjects of this country. He thought that the Bill ought to go into committee;'[1] and into committee the House resolved to go by 52 votes to 24. Perceval and Sir H. Mildmay being tellers for the majority.

The second occasion, during the remainder of the session, on which a speech of Perceval's was reported, was peculiar. A bad harvest had involved great scarcity and high prices. Many remedies were suggested for the difficulty. One, with which we are immediately concerned, was the incorporation of a great company 'for the manufacture of flour, wheat, and bread.' The advocates of the proposal insisted that the high price of bread was due to a combination among the millers; and that the combination

[1] Parl. Hist. xxxv. 367.

could only be broken by a powerful company. Its opponents contended, on the contrary, that the price of bread was dependent on ordinary economical laws, which no company, however wealthy, could permanently alter. Lord Hawkesbury, Dundas, Rose, and other Tories, earnestly advocated the Bill. Perceval was the only conspicuous Tory who joined the Whigs in resisting it. It was, he contended, 'impolitic, unwise, and unseasonable.' The scarcity, there was reason to hope, would vanish with the present harvest; so that the Bill would only begin to operate when the evil had ceased. He thought it wrong to trust any body of men with a monopoly which would drive the present dealers out of the market, and throw the necessaries of life into the hands of those who would have the power to oppress the public, whenever they should think proper.

The Bill was carried by a majority of four; and the division was followed by a scene which was probably unique. Sheridan drew attention to the circumstance that several members of the majority had a direct interest in the Bill, and appealed to the Speaker whether, under the circumstances, their votes should be allowed. The Speaker intimated a pretty strong opinion that they were indecorous, and ought to be disallowed. Rose, Hawkesbury, and Browne, argued against the Speaker's ruling. Perceval again deserted his friends, and took part with the opposition. Three votes were actually disallowed; a fourth was challenged, and only admitted in con-

sequence of the absence of the member who had given it. The narrow majority was, in this way, reduced to only one vote.[1]

It is, of course, easy to depreciate the merit of Perceval's conduct on this occasion. Economical questions are, in the present day, so thoroughly understood, that a mere tyro in politics can perceive that he was in the right, and his usual friends were in the wrong. But it is only fair to remember that, at the close of the last century, the lessons of political economy were imperfectly understood; a young lawyer might have been excused for giving a silent vote with his own friends on such a subject.

The third occasion on which Perceval spoke during this session was on the bill for the better prevention of adultery. Introduced early in April into the House of Lords by Lord Auckland, it had led to stormy and protracted debates, and had finally been sent down to the House of Commons on the 26th May.[2] Its leading provisions were, first, that it constituted the act of adultery with a married woman a misdemeanour punishable in the Court of King's Bench, either by fine or imprisonment; and, second, that it prohibited the person, 'on account of whose adultery such marriage shall be so dissolved,' from intermarrying with the man or woman 'named in such act to have committed adultery with the party complained of.' The bill was warmly supported by Wilberforce and Erskine; and strenuously resisted

[1] Parl. Hist. xxxv. 463-465. [2] Ibid. 225-235.

by Sheridan, Sir Gilbert Heathcote, and Perceval's own colleague at Northampton, Bouverie. It was ultimately thrown out by 143 votes to 104 on the 10th June. The short reports of the debate in Hansard make no mention of Perceval's speech; but the elaborate draft, which is still among his papers, would alone have gone a long way to prove that he spoke in favour of the bill. The matter is, however, placed beyond doubt by the express mention of this speech in the anonymous memoir which appeared after his death; and by his own allusions to it in the debates which took place on the investigation, in 1809, into the charges against the Duke of York. It would probably be useless to reproduce a document which deals with one of the most unpalatable of subjects. It is sufficient to say that it is at least as vigorous and logical as any of those earlier efforts to which reference has already been made in this biography.[1]

Parliament was prorogued on the 29th July; but was reassembled on the 11th November. During the

[1] There is a good story, which is perhaps worth preserving, that Perceval was on one occasion retained for the defence of an honourable baronet, a member of Parliament, who was accused of this very offence. At one of the consultations before the trial came on, Perceval told the defendant that he should like to know before he went into court whether there was any criminating circumstance which the other side would be likely to be able to bring forward. 'Nothing at all, I assure you,' was the reply. 'There was indeed one occasion when I was found locked up in a cupboard in the lady's bedroom. But that is nothing. *Ladies, you know, are always locking one up in cupboards.*'

short autumn session, which then ensued, Perceval is known to have spoken on three occasions. The first and most interesting of them was in a debate raised by Mr. Jones on the evacuation of Egypt; the second was in defence of the Attorney-General, Sir John Mitford, from a charge of Tierney's, that he desired the continued suspension of the Habeas Corpus Act to shelter himself from the consequences of his refusal to liberate the persons whom he had committed; the third was on a mischievous and libellous petition from a prisoner in Coldbath Fields. It affords a striking proof of Perceval's growing influence, that on the first of these three occasions he wound up the debate for the Government, and that on the second and third of them he was a teller for the majority; the Attorney-General at one time, Lord Hawkesbury at the other, being the other teller.[1]

The Parliament of 1796 had now lasted for a little more than four years; but circumstances had arisen which soon afterwards necessitated its dissolution. Early in 1799, Pitt had carried in Westminster a proposal for a union between Great Britain and Ireland; but the scheme had been rejected by the Irish Parliament. The proposal had been renewed with more success in the following year; and the legislatures of both countries had been prevailed upon to assent to it. During the debates on the Union, in the spring of 1799, Per-

[1] Parl. Hist. xxxv. 598–730.

ceval had certainly spoken once. His speech is only shortly reported in Hansard,[1] but the fuller draft among his papers contains one passage which it would be improper to omit. 'My mind is satisfied,' he concluded his arguments by saying, 'that the present situation of Ireland is most deplorable; and that the removal of their legislature, and the removal of it from the scene and seat of the jealousies and animosities which now distract that unhappy country, would promise a fairer and speedier remedy to its distractions than any other measure which could be suggested. Not that I entertain a hope that this or any other measure, within the reach of human wisdom to devise, can operate like a charm; . . . . but that, by removing the influence of some of its worst evils, *by diminishing, perhaps, the necessity for keeping alive the political distinction between the Catholic and Protestant, and by thus giving to them all the full blessing of the English Constitution, which they at present imperfectly enjoy*, the most sanguine hopes may naturally be entertained that the best and surest foundations will be then laid, not only for the permanent connexion between that country and this, but also for the internal security and prosperity of that island!'

The close of the century marks the conclusion of the first period of Perceval's political career. The perhaps too copious extracts which have been given from his writings and speeches, will, it is thought,

[1] Parl. Hist. xxxiv. 406.

have sufficiently illustrated his earlier opinions. From the time in which he had been retained on the trial of Horne Tooke and Paine, he had been actuated by a sincere horror of revolutionary principles, which had led him to a strenuous support of the great war with France. The circumstance that the London Corresponding Society, and other agitators, endeavoured to secure the introduction of those principles into this country, under the pretext of promoting parliamentary reform, induced him, in common with Pitt, to resist the demand for the latter. But, though in these matters, he was a Tory among Tories, the passages that have been quoted from his speeches on the Monasteries' Bill, the Bread Bill, and the Union, prove that, under other circumstances, he would have been willing to have supported a more generous policy. It has been commonly stated that Perceval was the narrowest and most prejudiced of statesmen. It is only fair to remember that the narrowness of his views, and the prejudices he entertained, were equally due to circumstances which have long ceased to influence our judgments and affect our conduct.

It has been necessary to notice, during the foregoing chapters, his growing influence in political matters. His attention to politics had not interfered with his professional advancement. We have already seen that he had been selected for the Deputy-Recordership of Northampton, the offices of Counsel to the Board of Admiralty, Solicitor to the

Board of Ordnance, and Solicitor-General to the Queen. Towards the close of the century Sir Robert Graham, the Counsel to the University of Cambridge, was made a Baron of the Exchequer; and Perceval was appointed to succeed him.

'I have just received your letter,' he writes on the 25th October, 1800, to his old tutor, Dr. Mansel, 'announcing the honour done me by the University of Cambridge in electing me into the office of their Counsel. The situation is a very honourable one; and, therefore, I cannot but be proud to hold it; and I should certainly be much more dead to the sentiments of vanity than I can pretend to be, if I were not very much gratified by the flattering manner to myself, in which it seems your wishes were seconded by the body at large.'

During the same period his emoluments at the bar had been gradually increasing. In 1795, the year before he received his silk gown, they had amounted to 1012*l.*; in 1796 to 1014*l.* In 1797 they had risen to 1249*l.*; in 1798 to 1255*l.* In 1799 they were no less than 1504*l.*; and in 1800 they were further increased to 1807*l.* The sums, of course, according to modern notions, are not large; but, in the first place, it must be remembered that the profits of the bar were, at the close of the last century, considerably less than they are now; and, in the next place, Perceval was still a young man, whose professional life had only extended over fourteen years. 'Erskine in all his glory,' writes Campbell, 'never realised 10,000*l.* a-year.' Under such circumstances a professional income of 1800*l.* a-year

was no inconsiderable reward for a comparatively young lawyer.

The gradual increase of his professional profits must have been doubly gratifying; for the demand was growing at least as rapidly as the supply. Mrs. Perceval had brought him, it is true, a considerable fortune. But she had also presented him with a very large family. The tenth anniversary of his marriage had occurred in 1800; and in the ten years she had borne him, at regular intervals, eight children—seven of whom were living. The three eldest were girls. The four youngest were boys. 'Peter Plymley's' amusing description of the twelve sons of his own begetting, walking two and two before Perceval to church at Hampstead, with their faces nicely washed and their hair neatly combed, was an exaggeration. But it must be conceded that Perceval's family was already large; and that there was every probability that it would become larger. His emoluments at the bar were, however, growing so rapidly, that the circumstance probably occasioned him no serious anxiety. The change in his position, which will be noticed in the next chapter, must have removed, till his final retirement from his profession, any apprehension for the immediate future.

CHAPTER IV.

ADDINGTON'S MINISTRY.

1800–1802.

Position of Pitt—Change of Ministry—The Addington Administration—Perceval appointed Solicitor-General—Removes to the Chancery Bar—Speeches on the State of Ireland—Negotiations with the First Consul—Fox's Speech at the Shakespeare Club—Session of 1802—Debts of the Prince of Wales—Appointed Attorney-General—Political Situation—Prosecutions of Colonel Despard and Jean Peltier—Renewal of War with France—Parliamentary Proceedings—Emmett's Insurrection in Ireland—Murder of Lord Kilwarden—Napoleon's Threatened Invasion—Volunteer Movement—Juverna's Letters—Prosecutions of Cobbett and Justice Johnson for Libel.

PITT'S position had never been stronger than at the prorogation of the last Parliament of Great Britain on the closing day of the eighteenth century. He had had a majority in the House; there was reason to assume that he had a majority in the country. If the war had involved great sacrifices, it had strikingly illustrated the extent of our resources. If on land our troops had only gained small successes, the victories of Duncan, Hood, St. Vincent, and Nelson had added a brilliant page to our naval history. The rebellion in the sister

kingdom had been suppressed; a union between Great Britain and Ireland had been effected; the career of Napoleon in the East had been checked by Sir Sidney Smith; the threatened blow to our supremacy in India had been averted; our colonial empire had been largely extended; our flag waved in undisputed supremacy on every sea. England was the mainspring of the coalition against France; the hope on which every nation in Europe depended. Her position was due to the policy of Pitt. Notwithstanding much suffering and considerable scarcity, the country rewarded the success of the Minister by extending to him her confidence.

Yet the danger was greatest when its likelihood was least apparent. The very success, which the Minister had achieved, was the direct cause of his fall. Towards the close of January, 1801, the political world was excited by a memorable rumour. The King had angrily asked Dundas, at a levee, 'What is it this young Jacobinical lord has brought over in his pocket from Ireland?' The news spread quickly. Pitt had resigned: Addington had been sent for. Though, on the opening night of the session, Pitt was still technically the Minister, and Addington occupied the chair, well-informed politicians were aware that arrangements were already made for the transfer from the one to the other of the Seals of Office.

Of this unprecedented crisis in English history, it is unnecessary to say more now. This biography

has more concern with the arrangements consequent on the change of Ministry than with the causes which led to it. The new Ministry was in every way inferior to its predecessor. Without reckoning the disparity between Addington and Pitt, Lord Hawkesbury was unequal to Lord Grenville; Lord Hobart to Dundas; Charles Yorke to Windham. Addington himself seems to have felt the defects of his colleagues. The aid in debate, which they could hardly be expected to afford him, he hoped—the result proved with reason—to obtain from his law officers. In this respect his administration was at least as strong as Pitt's. Eldon had replaced Loughborough in the Chancellorship. Pitt's Attorney-General, Mitford, had succeeded Addington in the chair. The Solicitor-General, Sir W. Grant, was made Master of the Rolls in succession to Lord Alvanley; with an understanding that he was to assist the Ministry in debate. Room was thus made for the introduction of Law and Perceval as Attorney and Solicitor-General. The 'Government was greatly strengthened,' wrote Rose, who was himself retiring, 'by opening the Attorney-Generalship for Mr. Law, with Perceval as Solicitor-General.' 'We must soon,' wrote Addington himself to Abbot,[1] 'have a meeting with the Attorney and Solicitor-General, Yorke, Grant, &c., and talk over the three great questions,—1. Catholic Emanci-

[1] Lord Colchester's Diary, &c., vol. i. p. 307.

pation; 2. Neutral Powers; 3. Peace and War; and prepare for some stout debate.'[1]

There was one circumstance in connexion with Perceval's appointment as Solicitor-General which deserves to be recorded. The King had made a rule—to the outside world a very absurd one—that his law officers should always receive the honour of knighthood. Since 1783, when Lord Kenyon had been Attorney-General, no exception had been allowed to this rule. Since 1806, when Perceval resigned the Attorney-Generalship, no exception to it had been permitted by George the Third and his successors. Perceval, however, as an earl's son, had already higher rank than knighthood would have conferred on him. He was consequently permitted to decline the inappropriate and unwelcome dignity. Romilly, in his Diary, has an amusing passage on his own knighthood five years afterwards. 'I was this day,' he writes, 'sworn in together with Pigott, the new Attorney-General. His Majesty was pleased to knight us both, greatly against our inclination. Never was any City trader, who carried up a loyal address to His Majesty, more anxious to obtain than we were to escape this honour. . . . Perceval, the last Attorney-General, had been permitted to decline knighthood because he was an earl's son.'[2]

'Perceval, on receiving the appointment of Solicitor-General, relinquished the Court of King's

[1] Lord Colchester's Diary, vol. i. p. 348.
[2] Ibid. vol. ii. p. 136.

Bench, and practised only in that of Chancery. In taking this step he was influenced chiefly by the wish of having more time to devote to his political duties. But it is doubtful whether he succeeded in this view. In the King's Bench, though he was occasionally engaged in conducting causes of great importance, his business had never been so great as wholly to occupy his time. Nor is this to be wondered at, when it is considered that he had at that time to contend with, as competitors in that court, Mr. Erskine, Mr. Mungay, Mr. Law, Mr. Garrow, and Mr. Gibbs—all of them King's Counsel, much older than himself, and established in great practice before ever Mr. Perceval was called to the bar. But when he came into Chancery he found competitors less powerful, and though his disadvantages in entering a court, in the practice of which he had never been regularly initiated, were great, he rapidly advanced in practice, and long before his abandonment of the bar he had begun to be considered as the most powerful antagonist of Sir S. Romilly, the Coryphæus of equity draftsmen.'[1]

Though Addington, in his letters to Abbot, had contemplated stout debate, the necessity for it

[1] Chalmers' 'Biographical Dictionary.' Perceval, it is said, made the change on the advice of Lord Kenyon. His wisdom in making it has been doubted. On the one hand, the opinion, which is quoted in the text, is supported by the circumstance that the profits at the bar rose rapidly afterwards. On the other, the author of the 'Recollections of a Welsh Judge' records a different opinion.

in the first instance was not great. The King's illness interfered with the completion of the new arrangements; and, though the members of the new ministry were seated on the front bench, the real business of Government was conducted by Pitt, from a back bench behind them. Nor when the debates actually began is it easy to ascertain the part which Perceval played in them. On the one hand, the reports in Hansard are meagre in the extreme; on the other, Perceval's growing business left him less leisure to write out the speeches which he had intended to make. There are, for instance, only five occasions on which Perceval is recorded to have spoken during the session of 1801. Three of them had reference to the precautions which the state of Ireland necessitated—two of them to the election of Horne Tooke to a seat in the House of Commons; on only one of them was any elaborate preparation made. The speeches on Horne Tooke's election do not require any specific notice in this memoir.[1] The first of the three speeches on Ireland was elicited by an amendment of Whitbread's to Castlereagh's Bill to continue Martial Law in Ireland;[2] the third, towards the close of the session, was in support of a proposal to indemnify officials who since 1793[3] had apprehended persons under the Habeas Corpus Acts. The intermediate speech was of more importance. Pelham, on the 13th April, brought up the report of a select committee, recom-

[1] Parl. Hist. xxxv. 1342–1401. [2] Ibid. 1049. [3] Ibid. 1527.

mending the renewed suspension of the Habeas Corpus Act, and on the following day had submitted a resolution to the House to give effect to the report. The proposal was violently opposed by Burdett and others, and of course supported by Addington, Perceval, and Law. 'It can hardly,' Perceval began, 'be a matter for surprise that the arguments of those who are in favour of this bill should have little effect on those who are opposed to it. We have no common feelings on these subjects. . . . On this side of the House we have uniformly thought Jacobinism . . . . a calamity the most serious that the world ever witnessed; . . . . whilst, on the other side of the House, it is still a matter of doubt whether this Jacobinism is anything but a spirit of liberty. . . . Differing . . . . upon all these important points, it is not to be expected we should agree upon the proper measures to be taken in respect of them. . . . Because if they think that meritorious, or at least innocent, which I think highly criminal and dangerous; if they think that genuine patriotism, which I think genuine treason, the measures which I support . . . . could never, by any possibility, be approved by them.'

Perceval went on, after this spirited exordium, to show that 'there is no such alteration in the circumstances of this country or of Europe as to justify the same House of Commons, which last year enacted this bill, suffering it this year to expire.' 'It is said,' indeed, 'that the loyalty of the people is

insulted by these laws. I am astonished to hear such an observation. Did any honest man ever think himself insulted because a law was passed against robbery and housebreaking? Certainly not. In such a law he sees nothing of insult to his character; nothing but protection to his property and person. The loyal subject also in these laws sees nothing of insult, everything of protection and security, to his loyalty and affection.'

Some gentlemen, however, demanded the repeal of the law, 'because the circumstances are different from what they were when the measure was originally proposed.... But to what is this difference to be attributed? If the appearances of sedition had been the same, notwithstanding this law, it might afford some argument .... to let it expire; but to us, who enacted it with the hope ... that it would check that disposition to treason which it would have very little tendency to subdue, it is rather an argument of doubtful effect to say, You have found from experience the benefit you have expected, and therefore do what? therefore continue it would be the natural conclusion; but therefore repeal it is the conclusion of the honourable gentleman.'[1]

Before the session of 1801 was terminated, it was known that negotiations had been opened by Addington with the First Consul; their success was confidently anticipated when Parliament reassembled

[1] Parl. Hist. xxxv. 1284, and Perceval MSS. But I have followed the MSS. in preference to the poor report in the History.

on the 29th October. It was natural that Fox should rejoice at the conclusion of a war which he had consistently condemned; it was unnatural that his chief cause for rejoicing should have been the advantage of the peace to France. Yet, in a speech at the Shakespeare, in October, he rested his chief defence of the peace on the circumstances of the enemy. Even his friends deprecated his language. 'I do not know,' he wrote to Grey, 'whether my speech was or was not misrepresented; but I think it very likely that it really was liable to the interpretation you deprecate, and in that respect it was no doubt indiscreet.'[1] Here is what his enemies thought of it:—

'As for Mr. Fox's speech at the Shakespeare,' wrote Perceval to Lord Arden, 'I think it very abominable. I think that for an Englishman to say "he liked the peace the better, because it was a glorious one for France," is a statement as disgraceful and as little English as can be uttered. And when this is attempted to be disguised by considering it as a triumph of the cause of liberty over the despots of the earth—when that triumph is distinguished by the success of a usurper, who is trampling upon every idea, principle, and feeling of liberty and independence, by giving new constitutions at pleasure and assigning over whole countries to his nominees—it is such a mockery as to make it next to impossible to give him credit for thinking what he says; and leaves one nothing to do but to believe that it is the success of Revolution against old-established government, and the example which that success recommends, which is really and at bottom the thing that pleases him. Yet why

[1] Correspondence of C. J. Fox, vol. iii. p. 347.

this should please him, at his time of life, and with his good nature . . . it is extremely difficult to determine.'

It is as difficult to ascertain the part which Perceval played in the Session of 1802 as it is to appreciate his share in the debates of 1801. In 1801 he had on one important occasion at any rate renewed his old habit of parliamentary preparation. In 1802 he does not seem to have prepared a single speech. The only one of his speeches to which reference need be made now was that which he delivered on Manners Sutton's motion on the revenues of the Duchy of Cornwall. The creditors of the Prince of Wales were, for the second time in his life, becoming urgent. It was apparent that some steps must be taken to defray His Royal Highness's debts. But his friends were afraid of the unpopularity which he would incur if the burden of his extravagance was again thrown on the nation. They conveniently discovered that, if the Prince was compelled to have recourse to the people, the people were at any rate in debt to the Prince. Each Prince of Wales was born Duke of Cornwall. As such he was presumably entitled to the revenues of the Duchy during his minority. But His Royal Highness had never received a shilling of them till he came of age. He was entitled now to recover the arrears of which he had been defrauded during the first twenty-one years of his life. So argued the Prince's advocates. Perceval, on the contrary, contended that 'if the Prince had any legal right,

the proper mode of proceeding, in the first place, was to ascertain that right in a regular manner. . . . It had been said that the Prince came forward as a creditor of the public; but that was the very point to be proved. How could he be a creditor, if he had no right to the sums for which he sought repayment? The revenues of the Duchy were intended for the support of the Prince of Wales. If the Prince was living with the King, His Majesty had a right to the revenues; and could be no more asked for an account of the manner in which they had been applied, than a guardian could be desired to account for the expenditure of the sum allowed him for the support of a minor of large property.' The House adopted the same view, and supported the Ministry in a division, in which Perceval was a teller, by 160 votes to 103.[1]

Soon after this speech Perceval obtained a new promotion. Lord Kenyon, the Chief Justice of the King's Bench, died in April, 1802. Law, as Attorney-General, was selected as his successor. Perceval was made Attorney-General *vice* Law; and Manners Sutton succeeded Perceval as Solicitor-General. 'Poor Lord Kenyon dead,' writes Wilberforce in his diary, 'and Ned Law succeeding him. I have hopes Perceval will still prove a public blessing in a high station. He is to be Attorney-General.'[2] Another alteration in the Ministry, which

[1] Parl. Hist. vol. xxxvi. pp. 438 and 441.

[2] Diary, vol. iii. p. 46.

in its ultimate consequences, perhaps, affected Perceval still more closely, happened about the same time. Lord Clare, who had held the Great Seal of Ireland during the whole of Pitt's ministry, died in January, 1802. The new Speaker, Sir John Mitford, now made Lord Redesdale, was appointed to succeed him. Abbot was selected as Sir John's successor in the chair.

Parliament was prorogued on the 28th June, and dissolved on the following day. The new Parliament met on the 16th November, Perceval continuing with Bouverie to represent the Borough of Northampton. The position both of the country and of the Ministry was essentially different from what it had been during the previous Session. It was no longer possible to anticipate that the peace, which had been concluded with France, was likely to endure; the nations of Europe were arming, and excusing themselves from fulfilling the provisions of the Treaty of Amiens. Pitt's friends, with Canning at their head, were secretly urging him to break with Addington and terminate an arrangement, which they had never relished, and to which they had only agreed on the supposition that it was provisional. Both of these circumstances became apparent on the debate which, early in the Session, was raised on the navy estimates. The Ministry asked for a vote of 50,000 men. The number seemed large if peace was likely to be maintained; it was too small if war was probable. Canning wrote to Rose to ascertain

Pitt's views on the question. Pitt, who was staying at Bath, advised him to support the Ministry. Canning refrained from disregarding the advice of his great leader; but he was evidently dissatisfied. 'Addington,' he wrote to Rose, 'shirked, in the meanest and most pitiful manner, the whole of the questions which T. Grenville addressed to him; indeed, his whole exhibition was as contemptible as I could wish. His own troops were heartily ashamed of him. Perceval spoke late and well.' 'The Attorney-General's speech,'[1] he writes in a later letter, 'was a very good one of its kind.' Perceval, in fact, had taken the honest line, and had spoken out. 'The Ministry proposed this vote,' he said, 'on a state of things known to every man in the country.'[2] It was impossible to censure him at any rate, as he epigrammatically declared that the government had been 'censured; for being silent on what had been already spoken; reserved on what had been already communicated; and for concealing what was already notorious.'

'Our House of Commons politics,' wrote Perceval to Lord Redesdale two days afterwards[3] in a letter, part only of which has unfortunately been preserved, 'just now present a curious scene. I cannot pretend to describe it. There is Mr. Fox and his friends hot from Paris, who think that the next danger to be apprehended from France must arise from that great nation being disposed to enter into any state

[1] Rose, vol. i. p. 464. [2] Parl. Hist. vol. xxxvi. p. 1043.
[3] 4th December, 1802.

of rivalry with us in which we set them the example. If we only think of commerce and manufactures, they will only think of rivalling us in commerce and manufacturing; but, if we affect to arm, then they will direct their rivalry in that line, and meditate hostility against us. . . . Windham and his friends, seeing the danger of the country, and the mode of avoiding it, in a much truer light, carry, however, things to an absurd extreme in their language. They feel themselves obliged to admit that they cannot advise a renewal of hostilities; and this, coupled with a very eager wish to remove Mr. Addington from the government, betrays them into violence and hostility, which, though it may be thought to do the Government harm, does themselves, at least directly, no good in the public opinion. But Mr. Canning and his friends act the part which is perhaps the most interesting now. Pitt, as you know, has been prevailed upon to go to Bath for his health; and, thank God! by all accounts he has derived very decisive benefits from the waters. Whether his stay is prolonged there to this period purely on account of his health, or in consequence of some more public and political reason, I am not in the secret enough to know; but those who are most about him and most with him, spare no pains to alienate him from the present Government. Addington, in particular, is most distasteful, to none more than Canning."[1]

The political situation was, in fact, excessively interesting. But, so far as Perceval is concerned, more interest attaches to the trials, on which he was engaged, than to the Parliamentary proceedings in which he is recorded to have taken part. It was his duty early in 1803 to conduct two important prosecutions for the crown. The first was that

[1] The rest of this letter is lost.

of Colonel Despard and his associates for high treason; the second, and more famous, that of Jean Peltier, for a libel on Buonaparte. Colonel Despard was a gentleman of some age 'distinguished in the service, and amiable in character and manners.'[1] Five years before he had been arrested on suspicion, and thrown into the prison at Coldbath Fields. The attention of Parliament had at the time been called to his sufferings. It was alleged that he had been placed in a bare cell, without fire, candle, window, or furniture; that he had been denied every comfort; refused all intercourse with his friends; and that his health had become seriously impaired. The prison, in which he was confined, had acquired so evil a reputation that a member of Parliament, on asking a hackney coachman whether he knew the English Bastille, was immediately told that 'everybody knows the Bastille in Coldbath Fields.' The government, however, had a complete answer to the charge, in which they were supported by the independent testimony of Wilberforce, who had personally visited the prison. It was well managed, clean, healthy; the food was good, and the honourable gentleman (Mr. Courtenay) had, in fact, been imposed upon. Perceval, himself, to judge from some notes among his papers, had taken part in the debate, and had called on Courtenay to withdraw a charge which had been so completely disproved. Despard had been released; but his release had

[1] Mr. Courtenay in 1798. Parl. Hist. vol. xxxiv. p. 113.

enabled him to involve himself in a more serious affair. He had placed himself at the head of some wild conspirators, who seem to have seriously proposed to themselves to stop the King's coach on his way to open Parliament, to shoot the horses, and kill the King. Despard, who was at once the maddest and shrewdest of the gang, had himself offered to do the deed, and declared that 'his heart was callous.' After the murder of the King, the coaches were to be stopped; the stoppage of the mails would, it was assumed, act as a signal for the revolt of the provinces. The defence, which was conducted by Serjeant Best, was based on the double ground that Despard's previous services entitled him to favourable consideration; and that his present scheme was so wild that it was evidently the creation of a disordered intellect. Despard, twenty-three years before, had served with Lord Nelson; and the latter himself came forward to bear testimony to the services of his old friend. 'We went,' said the great admiral, 'on the Spanish main together; we slept many nights together in our clothes on the ground; we have measured the height of the enemy's wall together.'[1]

Lord Nelson's testimony was not of course in point. The question for the jury to decide was

[1] The account of the trial will be found in Howell, xxviii. 359. That of the execution in the 'Annual Register,' xlv. 369. It is only fair to Addington to say that Lord Ellenborough was strongly in favour of the execution of the prisoners.

whether Colonel Despard had been guilty of high treason in 1802; and not whether he had served with distinction in 1779. Perceval removed the slight impression Lord Nelson had made by asking first, whether the facts, to which his Lordship had referred, had not happened twenty-three years before; and second, whether he had had any communication with the prisoner since? Lord Ellenborough summed up dead against the accused; and the jury returned a verdict of Guilty, supplementing it, however, with a recommendation to mercy.

In happier times the Government would probably have gladly adopted the recommendation of the jury, and have concluded that the success of their prosecution had alone accomplished every object in undertaking it. Unfortunately, as most persons will now think, Addington conceived that a serious example was necessary. Despard and his associates were executed. But the responsibility of their execution must rest with the executive, and not with the law officers. The latter only discharged the obvious duty of their position in securing the conviction of the prisoners.

The other trial, on which Perceval was engaged, has been more widely remembered. Points of constitutional importance were involved in it, which will secure for it a place in every future history. There are, perhaps, few more striking instances of the irony of events than is found in the circumstance that it should have fallen to Perceval's lot to conduct

23644

a prosecution against Napoleon's libeller. Few Englishmen had inveighed more bitterly against Buonaparte than Addington's Attorney-General. Few Englishmen had more earnestly supported the war against the French nation, or resisted more actively Napoleon's overtures to this country. But Perceval was Attorney-General; Peltier's libel was very gross; and the Ministry were satisfied that it could not be left unnoticed. 'The King, upon the information of the Attorney-General,' took proceedings.

It can hardly be necessary to refer to more than two or three of the facts on which the prosecution was based. Peltier, a French emigrant, had, in the preceding summer, started a paper 'called the "Ambigu," or atrocious and amusing varieties. It has,' to quote Perceval's own words, 'on its frontispiece a sphinx, with a great variety of Egyptian emblematical figures, the meaning of which it may not be very easy to discover. . . . But there is a circumstance that marks this publication—the head of the sphinx, which has a crown on it. It is a head, which . . . from the different pictures of him, one cannot fail at the first blush to suppose was intended as the face of the First Consul.'

Two numbers were made the subject of prosecution—the first and the third. 'The third has for its title the harangue of Lepidus against Sylla parodied, and is addressed to the people of France. "This tyger, who dares to call himself the founder or the regenerator of France, enjoys the fruit of your

labours. . . . His wickedness increases every day; in spite of the security he enjoys, he enters into new passions. . . . You must act, citizens! You must march! You must oppose what is passing if you wish that he should not seize on all that you have. . . . You must resolve to serve or to command, to receive terror or to inspire it. Are we not reduced to extremities? What human institution can stop the tyrant?"' Such is a fair sample of a long passage which Perceval read to the jury, and which he characterised as 'a gross libel against the chief magistrate of France,' and 'a direct exhortation to that country to rebel against him.'

The first number of the 'Ambigu' was still more scandalous. There were two odes in it. In one of them were the following lines:—

'Dieux du peuple que l'on opprime
Vengez cette auguste victime
De l'audacieux attentat.
Qu'aux jours malheureux de Brumaire
Les lois ont dans leur sanctuaire
Vu consommer par un soldat.'

The 'Vœu d'un bon Patriote' in the same paper was concluded by a prayer for Napoleon's apotheosis:—

'Enfin, et Romulus nous rappelle la chose
Je fais vœu . . . des demain qu'il ait l'apothéose.'

If the tradition of Romulus' death be remembered, the lines seemed a direct invitation to assassination.

It was probably impossible for Government to

avoid noticing a pamphlet of this description. But the task, which was consequently imposed on Perceval, was very distasteful to him. 'It was a general opinion at the Exchange,' wrote Peltier, 'that my acquittal would be considered in France as tantamount to a declaration of war against the First Consul. The aide-de-camp and the secretary of the ambassador of the First Consul were placed, in some sort *en faction*, beneath the box of the jurymen.' 'Curiosity,' said Perceval, in opening his speech, 'has assembled an audience of a description and appearance which does not ordinarily attend the investigation of cases in courts of justice.' The law, as the result proved, was with Perceval; but the sympathy of the public was unquestionably with the prisoner. Perceval's part in the trial is nearly forgotten; Mackintosh's defence is still remembered as 'one of the finest essays ever composed.' The result was no doubt partly due to Perceval's own determination to avoid every sensational point in the speech which it was his duty to make. 'Perceval was evidently ashamed of the task imposed on him,' writes Lord Campbell. 'On this occasion,' said Perceval himself, 'my duty, as well as my inclination, will not only lead me, but confine me to adhere strictly to the dry and dull examination of the intention, of the meaning, and of the tendency of the libel now under prosecution.' 'Perhaps,' he concluded his short speech, 'I may hear of publications in the "Moniteur," reflecting on our Government;

what have we to do with that? I am standing here for the honour of the English law, and of the English nation. I state this to be a crime, and as such have brought it 'before an English jury. And, if any other country think they can prosper by such publications as this, let *them* have the benefit of it, but do not let *us* have the disgrace."[1]

The jury returned a verdict of Guilty without retiring from the jury-box. But the outbreak of war prevented the punishment of Peltier. It had for months past been evident that the truce, which the treaty of Amiens had established, was certain to be broken. No other result could have ensued from Napoleon's policy. Immediately after the peace he had sent persons to this country, under the ostensible pretext of establishing commercial relations between the two nations, who had busied themselves with obtaining the soundings of our harbours, and with procuring military surveys of the places in which they resided. He 'had continued a French army in Holland against the will and in defiance of the remonstrances of the Batavian Government.' 'He had violated the independence of the Swiss

[1] Howell's State Trials, vol. xxviii. p. 520–619; Life of Lord Ellenborough in Campbell's Chief Justices, vol. iii. p. 180. Mackintosh afterwards received the Recordership of Bombay; Perceval exerting himself for his opponent on the occasion. On his return to England, Perceval offered him, in the most liberal way, a seat in the House of Commons. The manner in which the offer was refused was as creditable to Mackintosh as the manner in which it was made was to Perceval.—*Vide* Life of Mackintosh.

nation;' 'annexed to the dominions of France, Piedmont, Placentia, Parma, and Elba;' 'and denied the right of this country to interfere on any point which did not form a part of the stipulations of the treaty of Amiens.'

The immediate rupture, however, arose from another cause. We had undertaken, in the treaty of Amiens, 'to abandon, and to restore to the order of St. John, the island of Malta, on condition of its independence and neutrality;' the French, on the other hand, 'stipulating the integrity of the Turkish Empire, and the independence of the Ionian Islands.' But there was evidence that the French did not intend to adhere to their side of the arrangement. Colonel Sebastiani had been sent on a mission to Egypt, and the publication of this officer's report proved that Napoleon was contemplating the dismemberment of the Turkish Empire. It contained, moreover, 'the most unwarrantable insinuations and charges against His Majesty's Government; against the officer who commanded the forces in Egypt, and the British army in that quarter.' In consideration of these circumstances, the English Government did not feel justified in evacuating Malta; and, after a protracted, but fruitless, negotiation, the great war was renewed.[1]

Both the policy of the war, and the conduct of the preliminary negotiations by the Ministry, were questioned in Parliament. Government, however, wisely determined to separate as far as possible the

[1] Parl. Hist. vol. xxxvi. p. 1379.

one question from the other. On the first of them Englishmen were, with few exceptions, unanimous. On the second even the ordinary supporters of the Ministry were divided. The debate on the renewal of the war took place on the 23rd, 24th, and 25th May. Lord Hawkesbury, on behalf of the Ministry, moved an address to the Crown assuring 'His Majesty of the just sense we entertain of his anxious and uniform endeavours to preserve to his people the blessing of peace, which have been frustrated by that restless spirit of ambition and domination by which the Government of France have been led to advance pretensions the most extravagant and injurious.' Grey, on behalf of a small but persistent opposition, wished simply to declare 'the satisfaction with which his faithful Commons have received His Majesty's gracious declaration that he is willing to afford . . . every facility to any just arrangement by which the blessings of peace may be restored to his loyal subjects.'

The debate, which was unusually long, is only briefly reported in Hansard. A large portion of the Report, too, is devoted to the brilliant speech which Fox[1] delivered on the second day. Perceval spoke towards the close of the debate. The record of his speech only occupies in the History ten short lines. But this deficiency is partly remedied by the notes

[1] 'Mr. Fox,' writes Abbot, 'spoke from ten o'clock till one; and in these three hours delivered a speech of more art, eloquence, wit, and mischief, than I remember to have heard from him. His principles were rather protested against than argued against by the Attorney-General and Windham.'—Lord Colchester, i. 421.

for it which still exist in his handwriting. The following passage will serve as a sample of the whole: 'It is said that peace is consistent with the honour of this country. I will put it to any candid and impartial man whether peace—a state of things that deserves that name—could be maintained with France by any other means than those which shall demonstrate to her that her injustice, her arrogance, and her insolence will not be with impunity endured. I will put it to any man whether there is any hope that any sense of justice, of moderation, of character, in the opinion and estimation of mankind, will restrain the Government of France . . . . will check any single step which the inordinate and inextinguishable spirit of ambition, domination, aggrandisement, and tyranny may suggest to an inflamed and heated mind, to be calculated to advance his interest, to establish his power, and to extend his dominion. If that be so, the only hope for peace is through honourable resistance and war.' Perceval was more at home in attacking than in defending the First Consul.[1]

The conduct of the Ministry was questioned in a series of lengthy resolutions by Mr. Patten, on the 3rd of June. Lord Temple and Canning were especially bitter in their charges against the Ministry. Pitt himself, in a half-hearted speech, evidently unwilling to offend Canning by voting for Addington, endeavoured to evade the real question by passing to the orders of the day. Hansard makes no mention of

[1] Perceval MSS. and Parl. Hist. vol. xxxvi. pp. 1390–1491.

Perceval's speech. But there are two reasons for assuming that he spoke on the question. In the first place he prepared a speech, which is still extant, and, in the next place, he was a teller in the division for the Ministry. 'Whatever may be the critical import of the honourable gentleman's words,' Perceval began, 'censure is his meaning; and, the stronger and more general the censure, the more agreeable to the honourable gentleman. . . . A vote of censure is undoubtedly natural and proper for the honourable gentleman and those who act with him to propose. All those who have the sense these gentlemen entertain of the insufficiency of His Majesty's Government, and the sufficiency of themselves . . . . act wisely and patriotically, if not disinterestedly, in proposing such resolutions as the present. . . . But, unless the House concurs in all these views . . . . they will pause considerably . . . . before they consent to a proceeding which, in embarrassing the existing Government, ... would cripple the exertions of the country in the arduous contest in which it has been unavoidably embarked.

'I agreed entirely with those gentlemen who thought . . . . that the question of the justice of the war might well be determined without affecting the merits of His Majesty's Government during the negotiation. . . . Yet, I am satisfied that it will not turn out so in fact. . . . For what is it that so completely puts this country in the right, and the enemy in the wrong? The clear and distinct proof which these

papers exhibit of the pacific spirit of Government; the striking contrast, which is here displayed, between English moderation and French aggrandisement; English faith and French perfidy; English temper and French arrogance. . . . Indeed, it will be hard if that which puts this country clearly in the right,—that conduct which we gladly lay hold of as justifying our country against the enemy,— . . . we should immediately afterwards employ to condemn the Government which held it!

'The point respecting the commercial agents is that which seems to have weighed the strongest with the honourable gentleman. . . . . I freely confess that it appears to me that it was perfectly open to His Majesty's Ministers to have dismissed these gentlemen from our shores. . . . But what should we have heard if they had done so? Why, that they had acted peremptorily; that they ought to have given opportunity for explanation; . . . . and that resentment, before such opportunity was given, was at least premature and precipitate.

'The point, which next to this of the commercial agents has been most pressed, is the conduct of this Government in respect to Switzerland. . . . I do not rightly comprehend whether Government is blamed for having done too little in favour of Switzerland, or too much. If they show that, as long as there was a particle of humanity or generosity, they could not have done less, their adversary is prepared to agree with them, and to say, "True; but we com-

plain of you for not having done more." And, when they turn the argument, and show that, in the state and temper of Europe, they could not have done more, their adversaries are prepared again to agree with them, and to say, "True; but we complain of you for having done so much." . . . But what was to be done? Are these great politicians censuring the conduct of the Government, and yet not prepared to tell us what ought to have been done? They say they are not sufficiently informed to know. Are they then sufficiently informed to condemn?'

Pitt's proposal to pass to the orders of the day was rejected on a division by 333 votes to 56; and Pitt and his more immediate friends left the House. Patten's resolutions were then negatived; a division only taking place on one of them, which was rejected by 275 votes to 34.[1]

During the month in which this debate had taken place, Perceval's sister, Frances, had been married to the Chancellor of Ireland, Lord Redesdale. The Chancellor and his bride had, after their marriage, returned to Dublin. Within a few weeks of their return, very alarming news had reached this country. 'Extremely disagreeable news from Ireland,' Perceval wrote hurriedly to Lord Arden; 'an insurrection has broken out in Dublin; and it is said that Lord Kilwarden and his sister have been assassinated . . . . I can hear nothing of the Chancellor and my sister; but, generally, that the principal

[1] Perceval MSS. and Parl. Hist. vol. xxxvi. p. 1570.

people of Dublin (which I trust includes them) are said to be safe in the Phœnix Park with a large body of military."[1]

[1] Some days afterwards Perceval received a detailed account of the insurrection from Lord Redesdale. 'It is utterly untrue,' wrote the latter, 'that the Government was surprised on the 23rd July. Early on that day the civil government was fully on its guard; the intended attack on the Lodge was known; and a large additional guard sent to prevent it, which was effectual for the purpose. It is utterly false that forty, fifty, or five hundred rebels could have seized the person of the Lord-Lieutenant, unless the force placed to guard his person had neglected their duty. The arrival of a number of persons from the country was known, and disturbance expected. The force to resist them, I believe, was three or four times as numerous as that of the rebels, and might have crushed them in the instant. Sir Charles Asgill, who had the command of Dublin under General Fox, had full notice of the intended attack, and was at the Castle to enable him to discharge the duty when required by the civil government. Information was sent to General Fox; he saw Mr. Marsden; and, although he did not appear to feel so much alarm as Marsden did, yet he gave no reason to think that he did not apprehend danger. He returned, however, to Kilmainham, which, if you will look at the map, and consider that the passage from Kilmainham to the Castle was through the worst part of Dublin, through that part where all the disturbance happened, you will scarcely think wise. The tumult rising, information was sent to him, and at half-past eight he sent for Sir Charles Asgill, General Dunn, and Colonel Varsall, the three principal officers of the garrison, to attend him at Kilmainham at a quarter past nine. They went to him at the hazard of their lives, being repeatedly shot at as they passed. They were ordered to go to the Royal Barracks, and wait for the General. The General did not come. Message after message went from Marsden to the barracks. The officers thought they must wait for the General. Thus time was lost; and Lord Kilwarden, unfortunately passing along the very streets which lead from Kilmainham to the Castle, was met by a small body of rebels, not two hundred in number, armed principally with pikes, and was killed. Even then had the force at Kilmainham and at the barracks been detached to intercept

The first report of the insurrection had in fact been exaggerated. The outbreak had been easily suppressed; and, had it not been for the unfortunate accident of Lord Kilwarden's murder, would have been long since forgotten. It was natural, however, that a riot which had resulted in the murder of the Chief Justice should attract considerable attention. Government immediately proposed, on the 28th July, a bill to enable the executive 'to declare martial law in Ireland, in districts where insurrection exists;' and followed it up by suspending the Habeas Corpus Act. Hutchinson, on the closing day of the session, moved 'an address for information respecting the late rebellious outrages in Ireland, and the present state of that kingdom.' At an earlier period of the session the situation would have thoroughly justified the demand: on the eve of the Prorogation it was obviously impossible to concede it. Perceval insisted, on behalf of the Ministry, that the motion was really

them all the rebels must have fallen; but there was still delay; the troops at the James Street Barracks, a small body, dispersed them and killed about a hundred. The rest fled. I do not believe any of the Volunteers fired a shot. The Liberty Rangers were not engaged, though two of their body were killed going to join their corps. Thus all the surprise consisted in the surprise of my poor friend, Lord Kilwarden, who fell, however, I believe, a sacrifice to the obstinacy or stupidity of his postilion, who either did not hear, or could not or would not understand those who attempted to warn him out of danger time enough to have turned his carriage, or at least to have driven it into the yard of a considerable court-house, which the people to whom it belonged had purposed themselves to defend, and which the rebels could not easily have forced.'

equivalent to an address to advise the Crown not to prorogue Parliament. The motion was negatived, and Parliament was prorogued.[1]

The discussion, however, which had thus been practically stopped, was renewed on the reassembling of Parliament in the following November. Addington proposed to renew the Irish Martial Law Bill; and the proposal to renew it met with a determined opposition. The Irish Attorney-General, in conducting the prosecution of the rioters, had described the insurrection as 'contemptible in the extreme;' as having 'ended where it began.' If this language was justifiable, the circumstances of Ireland could not, it was argued, necessitate a recourse to martial law. 'His Majesty's ministers,' exclaimed Windham, 'stopped the Constitution as a miller would stop a wind or a water-mill, and with as little consideration. . . . . He would not say that this was wrong; but he wanted to know why it was right.' 'The right honourable gentleman,' replied Perceval, 'was a member of His Majesty's Government when a measure exactly similar to the present was introduced, and was himself one of its most strenuous advocates and defenders.' Windham was not the first statesman who had opposed in opposition measures similar to those which he had promoted in office. In grave national crises the Ministry must be given exceptional powers, without being subjected to

[1] Parl. Hist. vol. xxxvi. p. 1711.

a too nice investigation of the reasons which prompt the demand for them.[1]

The particulars, however, of Emmet's insurrection were forgotten in the presence of the greater danger which the country had to face. The Army of England was encamped on the opposite coast; the very day on which the expedition was to sail had, it was supposed, been fixed. The effect in this country of Napoleon's preparations had proved extraordinary. A prodigious Volunteer force of 380,000 men had been enrolled; all the chief men in the country had taken part in the movement. Pitt had organised a corps in the Cinque Ports; Addington another at Woodley; Rose three corps in Hampshire; Erskine commanded the Inns of Court; and Perceval had himself joined the Light Horse Volunteers.[2] The success of the movement necessitated the interposition of Parliament; and Perceval, who had had a large share in the preparation of the measure, seems

[1] Parl. Debates, vol. i. p. 1647.

[2] Authority for this statement will be found in Lord Colchester's Diary. 'This day,' he writes, February 11, 1797, 'I desired Perceval to propose me for the Volunteer Light Horse.' 'The Light Horse Volunteers,' he writes again on the 28th July, 1797, 'assembled on Clapham Common. . . . Amongst our corps were the following:—The Duke of Montrose, the Hon. Spencer Perceval, Mr. Manners Sutton, Mr. Vansittart, Mr. Garrow, Mr. Launcelot Shadwell, Mr. C. W. Wynn, and Sergeant Adair.'—Colchester, vol. i. 83 and 114. The corps, therefore, must have included on that day a duke, a future prime minister (Perceval), a future speaker (Abbot), a future Lord Chancellor of Ireland (Manners Sutton), a future Chancellor of the Exchequer (Vansittart), a future Baron of the Exchequer (Garrow), and a future Vice-Chancellor (Shadwell).

to have taken a considerable part in its conduct through Parliament. The speech, which he delivered on the same subject, on the Report of the Army Estimates, was characteristic of him.[1] Windham, when the estimates were brought forward, inveighed with some bitterness against the force, which he described as 'a corps for ever unsuited to the sort of service on which it was intended to employ them.'[2] On the debate on the Report he had renewed the charge. The force 'was very ill adapted to the principal and more immediate purpose for which it was wanted,' and increased 'most materially the difficulty of recruiting for the army.' Perceval, whose speech is reported at greater length than usual, replied with some care, 'The effect of the arguments of the right honourable gentleman was to degrade the Volunteers in their own eyes. . . . No man could read the words of the right honourable gentleman, but must look upon the Volunteer corps as a body of very low estimation.' Some of the men might, no doubt, have behaved improperly. 'But was it fair to argue against the whole of such an immense body as this, on account of the conduct of a few who might have disgraced themselves? . . . As well might the right honourable gentleman go to the gaol of Newgate, and insist upon taking out of the cells there characters from which to form a general impression of human nature.'

Parliament separated for their short Christmas

[1] Parl. Debates, vol. i. pp. 1843 and 1850. [2] Ibid. p. 1688.

holiday under the full impression that Napoleon would attempt his long-threatened invasion during the recess.

'The Government here,' wrote Perceval to Lord Redesdale on the 27th of December, 'are fully convinced by the information they have received from the Continent that Christmas-day was fixed for the sailing of the French forces against us. The storm that we had on that day must have necessarily prevented their sailing if it had been so intended; but, if that information is at all to be relied upon, we are certainly now to expect them the first time the weather permits. In this country we begin to think the suspense of expectation worse than the attempt, and there are more wishes expressed for their making than for their delaying it. I hope by this time that you are so well circumstanced, in point of naval and military defence in Ireland, as to begin to consider the attempt upon that country also as nearly as desperate as on this. The circumstances of the two countries are no doubt widely different; but the difficulties in their way to you are probably greater, at least as great, as those which they must surmount in their way to us.'

The preparations of the Government seem, in fact, to have been complete. They had been anxiously considering the steps which, in the event of invasion, it would be necessary to take, and had been in close communication with the law officers on the subject. The elaborate opinion, which Perceval prepared on the circumstances under which martial law, or the supercession of all law, was permissible, still exists in his handwriting, and illustrates the precautions which had been taken to meet every difficulty beforehand. Happily the cloud which was lowering

on the horizon passed away; the extreme measures, which the Government contemplated, became unnecessary, and the proclamation which the Attorney-General had prepared was never issued.

Another matter was, in the meanwhile, attracting Perceval's attention. Cobbett in the previous year had started the *Political Register;* and, on the 5th November, 1802, a letter signed 'Juverna' had appeared in it, traducing all the leading members of the Irish Government. The attack on the Lord-Lieutenant, Lord Hardwicke, was the most gross, and is the best remembered.

'*Equo ne credite, Teucri,* was the advice which in a dangerous moment Laocoon gave to the Trojans. It will be remembered that the *equus* against which that sagacious adviser cautioned his countrymen was a wooden one. His countrymen did not regard Laocoon. They received the wooden representation of wisdom . . . But, though the machine itself was innoxious wood, the credulous Trojans found its hollow head and exalted sides were nothing less than receptacles for greedy peculators and blood-thirsty assassins. The ingenious author of the story did not mean to confine the lesson which it inculcates to the fall of Troy alone. . . . He meant to tell that any people who submitted to be governed by a wooden head would not find their security in its supposed innoxiousness, as its hollowness would soon be occupied by instruments of mischief. . . . I do not mean to assert that the head of my Lord Hardwicke is actually built of timber. My application, like that of the original author of the tale, is only metaphorical. . . . This, sir, is the Lord Hardwicke of Doctor Addington, against whose Government "not a murmur of complaint has been heard." . . . The Government of a harmless man is not therefore a harmless

Government. Inquiry and research,' the letter went on, 'are the duty and resource of the ignorant, and therefore I did inquire. The result of no small attention bestowed in this pursuit was that I discovered of our Viceroy that he was in rank an earl, in manners a gentleman, in morals a good father and a kind husband, and that he had a good library in St. James' Square. Here I should have been for ever stopped, if I had not by accident met with one Mr. Lindsay, a Scotch parson; since become (and I am sure it must be by divine providence, for it would be impossible to account for it by secondary causes) Bishop of Killaloe in Ireland. From this Mr. Lindsay I further learned that my Lord Hardwicke was celebrated for understanding the modern method of fattening sheep as well as any man in Cambridgeshire.'

The libel against Lord Redesdale was in another letter. The attack on him was made by ingeniously supposing what Lord Kenyon would or would not have done if he had been Chancellor of Ireland.

'It is said of Lord Kenyon that he loved money. If so he loved his own money only, and not the money of another man. Lord Kenyon, therefore, as Chancellor, never could have made any rule or order by the effects of which the secretary of a Master of the Rolls would be deprived of all fees for the purpose of throwing those fees into the hands of the secretary to the Chancellor. The professional pride and the inborn honour of Lord Kenyon would never have suffered him to enter into a combination to stop by underhand means the independence of his brethren the judges. He never could have suffered the Great Seal in his hands to be used for the purpose of garbling the bench, in order to gratify those who might be contented publicly to eulogise that government which privately they must have despised. Nor would he have employed any of his leisure in searching into offices for practice by which he might harass the domestic arrange-

ments of others whose pride and integrity would not bend to his views.'

Such are only a few extracts taken nearly at random from the information read at the trial. Lord Redesdale had, in the first instance, objected, with characteristic dignity, to any prosecution for the libel on himself.

'I have read Mr. Cobbett,' he wrote to Perceval on the 17th December, 'and I have not a moment's hesitation in desiring that no prosecution may be attempted upon the libel. If my character here will not bear down such a paltry attempt to injure it, it is not worth preserving. But of all things I should be sorry to have you the prosecutor.'

Perceval submitted his brother-in-law's letter to the Chancellor and Addington. 'They both seem to think that, though you as Lord Redesdale may be well satisfied at the libels not being prosecuted, it is a matter of grave question whether they, as the Government of this country, can permit such a libel to be published with impunity against the Chancellor of Ireland; and they are to let me know the pleasure of Government upon that point.'

The Cabinet ultimately decided that a prosecution was necessary, and Lord Redesdale himself acquiesced in the decision of the Government.

'I have again,' he writes on the 2nd January 1804, 'perused the fourth letter of Juverna. For myself I should feel better pleased that there should be no prosecution; but there is a circumstance attending that letter which makes prosecution absolutely necessary. 'It is, I think, now clear,

beyond the possibility of doubt, that the writer of the four letters signed Juverna is one of H. M. Judges. The man who would have been the sixth in the first commission,[1] if it had not been confined to five—and there 's the rub! . . . He was one of those members of the House of Commons who deserted to Lord Castlereagh from their old patrons on the Union question, and who have been most extravagantly rewarded, and are still insatiable. . . . If this man shall not be compelled to resign, and if Mr. Justice . . . shall not be brought to the same situation, the administration of justice in Ireland will be for ever disgraced. . . . If Cobbett should be prosecuted he would probably give up the letters, and the author if he knows him. But, if he does not know him, with the letters there would be found evidence to bring the matter home. The bench cannot stand under the stain now resting upon it. If these two men shall be driven from it, and men appointed, not from interest, but because they are proper men, it will give a lustre and purity to the bench which it has not yet had. In this point of view I think the prosecution of Cobbett highly proper. In any other I exclaim against it.'

The trial took place before Lord Ellenborough on the 24th May; Perceval, with the Solicitor-General and Erskine, appearing for the Crown; Adam for Cobbett.[2] One or two extracts from Perceval's speech can alone be given; and for evident reasons it may perhaps be desirable to select his reference to Lord Redesdale, and his description of Cobbett. 'The next point I come to is the libel upon Lord Redesdale, and here I cannot help saying that

[1] The Commissions to which Lord Redesdale refers were issued for the trial of rebels in the North of Ireland.

[2] Howell's State Trials, vol. xxix. p. 1–54.

it would have been an unpleasant part of my duty had I been called on to prosecute for this alone; not that there is not in this part of the publication abundant matter for prosecution, but, personally, I should have found the task a very unpleasant one, on account of my known connexion with that noble lord. I shall, therefore, say of him less on that account, and less, I am inclined to believe, than any of my learned friends around me would have said of him, had it fallen to their lot to manage this prosecution. That noble lord is well known to all the bar in this country, and I leave it to that bar to feel for his character as it deserves to be regarded; but I am sure it will not be said that, because the Chancellor of Ireland happens to be brother-in-law to the Attorney-General of England, he is therefore to go unprotected.' The description of Mr. Cobbett is in a different vein. 'Gentlemen, Mr. Cobbett either is, or conceives himself to be, the ablest, best, and most consummate politician, and the most pure and disinterested editor of a newspaper whom the world ever saw.... Gentlemen, who is Mr. Cobbett? Is he a man writing purely from motives of patriotism? *Quis homo hic est? Quo patre natus?* He seems to imagine himself a species of censor, who, elevated to the solemn seat of judgment, is to deal out his decisions for the instruction of mankind. He casts his eye downward, like the character represented by the poet of nature, from Dover cliff, and looks upon the inferior world below as pigmies beneath him.

Perhaps, in the proud contemplation of his own abilities, he supposes he is not to submit to the laws and institutions adapted to the vulgar herd of society. But, gentlemen, whatever may be our inclination to forgive what comes from such a censor, I am afraid we must be content to consider him in this court as a common being, and to subject him to the restrictions which he will admit to be accommodated only to our inferior capacities.'

The jury immediately returned a verdict of Guilty,[1] but the object of the Government was the punishment of the author, not of the publisher, of the libels. How strongly Lord Redesdale felt on this subject the extract which has been given from one of his letters has already proved.

'It is extremely important,' he writes again on the 11th June, 'to fix the letters under the signature of Juverna on their author, if that author be the person suspected. That a person of the disposition manifested by those letters should be in the situation of the supposed author must be dangerous to any government.'

Cobbett made the detection of the author the easier by giving up the original MS. to Perceval. The latter, however, 'protested against any engagement or understanding, direct or indirect, that such surrender is to alter the consequences of the conviction.' 'It appears,' adds Lord Colchester, from whose diary this extract has been taken, 'that the

[1] Howell's State Trials, vol. xxix. p. 54.

original is in the handwriting of Judge Johnson, of Ireland, and that it came by post to Cobbett.'[1]

It can hardly be necessary to refer to the very complicated proceedings which ensued on the decision of the ministry to prosecute the author. Mr. Justice Johnson was indicted for the libel in Middlesex. Upon the indictment Lord Ellenborough issued his writ for the apprehension of the prisoner; the writ was endorsed by W. Bell, a magistrate for Dublin, and Mr. Justice Johnson was arrested at his house at Milltown. The efficacy of the warrant, which the defendant denied, turned on the construction of an act of the previous session, the 44 Geo. 3, c. 92, 'to render more easy the apprehending and bringing to trial offenders escaping from one part of the United Kingdom to the other,'[2] and a long correspondence is still in existence between Lord Redesdale and Perceval on the construction of the statute. Mr. Justice Johnson insisted that his case was not

[1] Lord Colchester, vol. i. p. 518.

[2] It was stated by Mr. Justice Johnson that 'this act had been brought into Parliament by the brother-in-law of the person in whose name and at whose instance he was to be prosecuted.'—(Howell's State Trials, vol. xxix. p. 91.) Perceval subsequently defended himself from the charge in the House of Commons. 'The charge that he had framed the measure of last session with a view to bring Mr. Justice Johnson a prisoner to attend his trial in this country, would fall before the statement of the facts. The bill had been prepared, by order of the Secretary of State, the preceding session, though from the advanced stage of the session it had been deferred till the last session.' (5 Hans. Parl. Debates, 119.) The act under which Mr. Justice Johnson had been arrested was amended and extended by the 45 Geo. 3. c. 93.

'within the province of the law,' and appealed for his discharge to each of the superior courts in Dublin. The Court of King's Bench decided in favour of the Crown, the Lord Chief Justice (Downes) and Mr. Justice Daly composing the majority of the court; Mr. Justice Day, on the other hand, siding with the prisoner. The Court of Exchequer, seven days afterwards, gave a similar decision, three out of the four learned Judges being in favour of the Crown; and the Court of Common Pleas also subsequently decided against Mr. Justice Johnson, though there does not appear to be any record whether in this instance the decision was unanimous or not. Mr. Justice Johnson subsequently demurred to the jurisdiction of the Court of King's Bench, but his plea was overruled on the 29th June, and the trial consequently took place on the 23rd of the following November. Perceval again appeared for the Crown. His speech, of which a full draft still exists among his papers, is carefully reported in Howell.[1] The proceedings lasted through an entire day, but at nine o'clock at night the jury, after a quarter of an hour's consultation, agreed on a verdict of Guilty. The change of government, however, affected Mr. Justice Johnson's position. The new Attorney-General, Sir Arthur Pigott, entered a *nolle prosequi* upon the indictment in the early part of 1806, and Mr. Justice Johnson retired from the bench upon a pension for life.[2]

[1] Howell's State Trials, vol. xxix. p. 423. [2] Ibid. p. 502.

It seemed so desirable to present in one place a summary of the whole of these proceedings that I have had no hesitation in postponing for the purpose the narrative of events which from a chronological point of view should have interrupted it. It is, however, necessary now to retrace our steps, and consider Perceval's share in the stirring events for which the year 1804 is notorious.

CHAPTER V.

PITT'S SECOND MINISTRY.

1802–1806.

Pitt's Rupture with Addington—Declaration of War—Perceval's Defence of Addington—Refusal of the Chief-Justiceship of the Common Pleas—Talents as a Debater—Change of Views on the Question of Catholic Disabilities—Marriages in Perceval's Family—Thomas Walpole—Lord Redesdale—A Volunteer Question—Prosecution of Trades' Unions—Correspondence with Lord Redesdale—Reconciliation of Pitt and Addington—Wilberforce and the Slave Trade—War with Spain—Catholic Claims—Commission of Naval Inquiry—Impeachment of Lord Melville—Resignation of Lord Sidmouth—Duke of Athol's Lordship of the Isle of Man—Battle of Trafalgar—Death of Pitt.

ADDINGTON'S administration had now lasted for more than two years. It seemed to be in a fair way of illustrating the truth of the old saying, 'Threatened lives last long.' On its first formation few men regarded its existence as otherwise than a provisional arrangement. It was useful that some person representing Pitt's opinions should hold the seals of office till Pitt himself should be able to settle his differences with the King, and return to Downing Street. The position which Pitt assumed

favoured this view. He was the apologist, the adviser of the Ministry. Though he was no longer seated on the Treasury Bench, there were fair grounds for saying that he in reality conducted the Government, of which he was the main support. The country was reconciled to the mediocrity of Addington, because it recognised him as the *locum tenens* of the great minister.

The peace of Amiens altered the relative positions of the two statesmen. Addington was now identified with a distinct policy. Pitt had emphatically been the minister of the war. He was so seriously committed to it that he would hardly have been able, had he desired to do so, to have concluded it. Addington, on the contrary, had signalised his accession to office by terminating the struggle. The theorists, who desired peace for its own sake; the patriots, who thought some short respite necessary, to enable us at a future period to resume the struggle; the economists, who revolted from the heavy taxation which the war had made unavoidable—all these classes welcomed the change. Pitt's return to power seemed less necessary, and therefore less likely. If his genius was required to pilot us through the dangers of the contest, Addington was a sufficiently safe leader during the interval of peace. It was hardly fair, too, on the minister, who had secured us the breathing time we needed, to supersede him immediately after his achievement. Canning and some of the younger men murmured at

their forced exclusion from office; but Addington was more securely seated than ever.

Towards the close of 1802 this state of things was, however, again changed. The peace had only lasted for a year, but it seemed certain to be broken. The ministers themselves shared the general alarm, and proved their participation in it by a partial increase of the army and navy estimates. Canning, who had never tolerated the interregnum, seized the opportunity for inveighing more bitterly than ever against Addington. The administration should at such a time, he argued, be in the ablest and fittest hands. Pitt himself, however, staying on at Bath, made no sign. The Ministry were shaken by the onslaught, but weathered the storm. Perceval had interposed between Canning and Addington, and had succeeded in the defence in which his leader had signally failed.

When, however, in the following spring war was actually declared, the absurdity of the existing arrangement became more obvious. It has been the fashion among later historians to denounce Pitt's conduct of the war from 1793 to 1801. But nothing is more certain than that among contemporary politicians he was regarded as the only possible war-minister. Contemporary politicians forgave the uniform failure of his Continental campaigns, and remembered only the successes which he had achieved in more distant efforts, and the unvarying good fortune which had made this country the first naval power in the world.

They openly desired the return to power of the statesman by whom such results had been secured. Addington himself half yielded to the cry. He was ready to admit Pitt to a share in the government, but he could not bring himself to serve under that minister. Both, he suggested, should occupy equal positions as Secretaries of State under a common leader. Pitt gave the only answer which would have been worthy of him to such a suggestion. The negotiation terminated, and the cabinet of mediocrities secured one more year of power.

In the following year, however, this anomalous state of things was doomed to be terminated. Pitt's rupture with Addington had been more and more complete; he was no longer prepared to treat the minister of his creation with the same consideration. He had either persuaded himself, or had been persuaded by his friends, that his own return to power was desirable for the country. He was ready to take any constitutional opportunity for effecting it. The opportunity soon arrived. Fox, on the 23rd April, moved for a committee 'to revise the several bills for the defence of the country, and to consider of such further measures as may make that defence more complete.'

'Mr. Fox, Mr. Pitt, and Mr. Windham, for the motion,' wrote the Speaker.[1] 'Mr. Pitt made a long speech of great hostility towards the administration. Addington, Yorke, and Perceval were

[1] Diary, vol. i. p. 496.

the chief speakers for the ministry.' The latter had prepared his speech on this occasion with some care, and spoke, notwithstanding the contrary opinion of Horner, then a young man of twenty-six, with strong Whig proclivities and unusually precocious abilities, with much effect.[1] The finest passages in the speech are a commentary on the alliance between Windham and Fox, and an apology for the position of this country. 'What is it,' he asked of Windham, 'that he will do? Will he join to destroy the present Government, and leave its vacant seats to be fought for among themselves? Is that the sort of strength to Government the success of this motion is to procure? . . . or has the honourable gentleman taken up, with his new habits and his new friends, some of their old opinions, and, borrowing the thought and the language of one of the apostles of the rights of man, is he only consenting to travel in the same coach to Hounslow with those who are going on to Windsor? How have we sat, sir, listening with admiration to that right honourable gentleman's eloquence in this House. . . . How have

[1] Horner, who was under the gallery, wrote to his father:—'The speeches of the ministers were confined, till the Attorney-General rose, to the defence of the different parts of their military measures that had been attacked. Perceval took a much more judicious view of the debate, and treated the motion as if it had been in terms for the dismissal of ministers. This was the true mode of treating it, if he had executed his idea with skill; but his want of talent drove him to violence and extreme personality, so as to betray the fury and despair of his friends, or rather their convulsions in death.'—Horner's Life, vol. i. p. 250.

we been warmed with his patriotism, inspired by his enthusiasm, enlightened by his wisdom in the stand which he has made against the favourite principles of the honourable gentleman (Fox)! Sir, in proportion as I admired him, as I respected him, as I looked up to him then, . . . I lament him now!

'It is said that we have been degraded in the eyes of Europe both by the peace and the war. . . . . I should be glad if the honourable gentleman could point to any one . . . state in Europe . . . which can look down with contempt at Great Britain . . . When we are the only nation in the world that dares to lift up a hand against her (France) inordinate ambition; when we stand up—and stand up alone—against that power before whom the rest of the world lies prostrate and bleeding, is it possible for the violence and exaggeration of the strongest party spirit to describe us as the objects of contempt and degradation in the eyes of Europe? . . . I recollect, sir, the vaunts of the enemy, the threats of our annihilation, the *delenda est Carthago*. . . . How does he now menace our destruction? Why, by fleets that dare not quit his shores beyond the protection of those batteries that line his coast from Dunkirk to Boulogne.'[1] Windham, who rose immediately to reply to Perceval, gave the learned gentleman credit for his endeavours to rouse the House from the languor into which it had been

[1] Perceval MSS. and Hansard Debates, vol. ii. p. 233.

insensibly sinking. He had chanted the funeral obsequies of the ministry in melodious strains—

'He sang Darius great and good,
Fallen, fallen, fallen, fallen,
Fallen from his high estate,
And welt'ring in his blood.'

But he did not seem to think the cause altogether desperate, and he proceeded to

'Break his bands of sleep asunder,
And rouse him like a rattling peal of thunder.'

Fox, later in the evening, occupied a great portion of his reply with a consideration of 'the learned gentleman's vehement invective.' The debate was continued till four o'clock on the following morning, when, in a very full House, the Government obtained a majority of 52—256 votes to 204. 'Mr. Addington,' wrote the Speaker on the following day, 'was in very good spirits, and perfectly at ease about the consequences of these divisions.'[1] Yet even then the coming change must have been sufficiently apparent. 'After such a division,' wrote Horner, 'nobody conceives that the Doctor can any longer remain at the head.' Wilberforce, immediately after the debate, busied himself in a hopeless attempt to effect a reconciliation. He must have seen, within a very few hours, the utter impracticability of the task. That very evening a question was raised on the position of the subscribers to the

[1] Colchester's Diary, vol. i. p. 494.

Loyalty Loan. Pitt and Fox were again agreed in opposing the minister; and the majority of the latter dwindled in a small House to 24—100 to 76.[1] On the following evening the contest was once more resumed. Pitt availed himself of the opportunity, which the motion for going into Committee of Supply on the Army Reserve Suspension Bill afforded, to unfold a long scheme for recruiting the army and the reserve. Fox again spoke in his favour. Addington criticised Pitt's speech in strong language. Canning, in his turn, accused Addington of a desire to throw every odium and obloquy upon Pitt. J. H. Browne attempted to defend the minister; but the House would not listen to him. Perceval was more successful. 'The pain I feel,' he began, 'in intruding myself upon an unwilling audience can only be equalled by the pain I should feel, when I lay down my head, were I to suffer the most unjust, the most uncharitable interpretation of my right honourable friend's speech to pass without notice.' 'Perceval's warm and feeling defence of Addington,' wrote Wilberforce in his Diary, 'was much to his honour.'[2]

Addington again obtained a majority, 240 votes to 203. But the Speaker told him the next day that 'these successive divisions obliged him either

[1] Parl. Deb. vol. ii. p. 258; Cf. Lord Colchester, i. 497.

[2] Ibid. ii. 310; Wilberforce, iii. 154. According to the dates in the Diary the remark had reference to the previous speech. But this is evidently a mistake; Perceval, in the previous speech, had not made a warm defence of Addington; Wilberforce must have alluded, then, to this speech.

to give up the Government, or exert the utmost power of the Crown to support it.' Only three days afterwards Addington told the Speaker that he had determined to resign ; while, five days later still, Rose stated formally in the House that Pitt had received His Majesty's commands to form a new administration. The formation of the new Ministry was, for the moment, delayed by an ineffectual attempt to combine in it both Fox and Pitt. Perceval was, from the first, determined that, in the event of such a combination, he would have nothing to do with the new Ministry. But, singularly enough, he had just cut himself off from the most honourable method of retirement. Lord Alvanley, the Chief Justice of the Common Pleas, had lately died. 'Some people fancy,' wrote Fox to Lord Holland, 'he will be succeeded by Erskine. Not I. If the King should be well enough to appoint a successor, it will be Perceval.'[1] This opinion might have been given by a statesman with less knowledge of the ordinary rules of office than Fox. Perceval was Attorney-General. As such, according to the invariable practice of both political parties, he had obviously the right to have the offer made to him. He might, in short, have succeeded to the Chief Justiceship of the Common Pleas in 1804, just as Law had succeeded to the Chief Justiceship of the King's Bench in 1802. As a matter of fact the offer was not only made to him, but it was proposed to

[1] Correspondence, C. J. Fox, vol. iii. p. 244.

gild the prize by the addition of a coronet. Perceval, at once, refused; and his refusal met with the approval of a very competent judge,—Lord Redesdale.

'I think you have done right,' wrote the latter to him on the 26th April. 'At a later period of your life, the Common Pleas would have been a highly respectable retreat, and the peerage of little consequence to you personally. At present it would have thrown you out of your habits into an uncomfortable line of life, and a society you would scarcely have relished. I know that Lord Eldon felt this very much while he was in the Common Pleas with a peerage; and I think it would have been more strongly felt by you.'

On Perceval's refusal of the Common Pleas, the Chief Justiceship was offered to and accepted by Mansfield. The latter was, at the time, Chief Justice of Chester, and Perceval, though he had refused the higher position, was certainly inclined to accept the lower one. The Chief Justiceship of Chester was a dignified appointment, which might reasonably excite the ambition even of an Attorney-General. Abbot, with the prospect of the Speakership before him, had mentioned it to Addington as the object of his ambition;[1] and, when the possibility of a coalition government seemed to involve Perceval's own retirement, the latter certainly was inclined to take the office. 'The Attorney-General told me,' wrote the Speaker, 'that he had the offer of the Chief Justiceship of Chester, and should take it; although if Mr. Pitt wished him to continue in office, *and did*

[1] Colchester, vol. i. p. 229.

not join Mr. Fox,[1] he should not object to serve under him.' Pitt, on his part, could ill afford to lose Perceval's support in the House, for Rose distinctly states that he reckoned on Lord Castlereagh, the Attorney-General, Sturges Bourne, with one or two more of that class, for his speaking power in the House of Commons.[2]

A student of the meagre reports of Perceval's speeches in Hansard, supplemented indeed with the slight additions which, in this memoir, it has been possible to make to them, will perhaps be surprised that so much importance should have been attached to Perceval's co-operation. But Perceval's reputation as a debater was at this moment nearly as high as that of any man in either House of Parliament. No partial advocate, but the man who has perhaps done most to detract from Perceval's reputation, who was bitterly opposed to him on more than one occasion, tells us that 'Ministers were opposed by a factious league of Pittites, Foxites, Grenvilles, and Windham, and only defended by two lawyers, Mr. Perceval in the House of Commons, Lord Eldon in the Lords. Nothing could exceed the zeal or spirit of the battle, which both, especially Mr. Perceval, made in defence of the citadel.' On another occasion he writes even more strongly,—

'As Attorney-General to Mr. Addington, and braving almost the whole of the unequal debate, while the forces of Pitt, Fox, and Windham combined to assail the meagre

[1] Colchester, vol. i. p. 502. [2] Rose, vol. ii. pp. 119 and 120.

Treasury Bench, his talents sparkled with peculiar brightness. His dexterity in any great or any personal conflict; his excellent language, always purely but unaffectedly English, nor ever chargeable with incorrect taste; his attention continually awake and his spirit ever dauntless, gained him the greatest reputation as a great and powerful debater.'[1]

Nearly seven years afterwards, when Perceval, by his astounding exertions in the Regency debates, had acquired an even higher position, Plumer Ward told Fremantle that, if Lord Grenville had allied himself in 1806 with Perceval instead of Fox, he would have been minister for ever. Fremantle answered that 'No one in 1806 could have foreseen that Perceval was capable of such efforts.' It ought to have been foreseen, was Ward's remarkable reply, for the same powers which he has displayed now were called forth to shield Addington in 1804.

If, then, these were the opinions which Perceval's abilities had created, we can hardly feel surprised that Pitt should have desired to avail himself of the assistance of Addington's Attorney-General. But, if Pitt was anxious to secure the services of Perceval, Perceval was determined that he would only join the minister on his own terms. Pitt chose the best possible negotiator. Lord Harrowby was one of Perceval's earliest and most constant friends; and Lord Harrowby was selected to bear the message. Its acceptance may be given in Perceval's own language.

[1] Lord Brougham's 'Statesmen,' vol. i. p. 248 and ii. 58.

'Yesterday,' he wrote to his brother-in-law, Lord Redesdale, on the 10th May, 'Mr. Pitt sent my friend, Lord Harrowby,[1] to me to request that I would continue in my present situation, and my answer was, "Certainly; if things were as I conceived them to be upon three points. 1st, That Mr. Fox was to have nothing to do with the Government; 2nd, That there was to be no criminatory retrospect on Addington's Government; and, 3rd, That there was to be no support to the Catholic question." On the first Lord H. said that he conceived that there was not the least idea of Mr. F. forming a part of (the) administration, though he had no authority to say, nor any means of foreseeing, what might eventually happen: to which I subjoined, Neither had I any such means, and therefore I only begged that my acceptance might be understood as conditional, and that, if such an event were to take place, I should withdraw. With respect to the 2nd, Lord H. said that he did not quite understand me, but he supposed that I did not mean that Mr. Pitt should not find fault with those measures of the preceding Government which he had found fault with before. I said that I certainly did not mean any such thing, but merely that there should be no vindictive retrospect; and, if there was ever any fault to be found, that such friends as he got from the friends of the former Government could not be expected to join in it—which he seemed to consider as quite reasonable. Then as to the Catholic question; he said he understood perfectly that Pitt had assured the King that he would not only not bring forward such a question, but would oppose it as long as the King lived. To this I said that I so understood it, but that I should not be satisfied to leave this point merely in this way; and that I must beg that he would explain fully to Mr. Pitt that I would put myself in no situation in which I should not feel myself at liberty (if I thought it expedient) to oppose that question

[1] Perceval gave a very similar account of the interview to the Speaker.—Cfr. Colchester, vol. i. pp. 511, 512.

upon its principles and upon its consequences, and on grounds which would go against its being adopted at any time: and, if his mode of opposing it would be confined only to the time, perhaps he might think that it would open him to the suspicion of meaning more hostility ultimately to the question than he would wish to have it supposed, if the Attorney-General under his Government took it up on different grounds. He agreed that this was very fit to be explained to Pitt; he was to see him in the course of the morning; and I offered to wait upon Pitt in the evening if he wished to see me. Not having heard anything from him from that time, I conclude that these explanations and conditions of mine are not objected to, as I desired that I might hear early from him if they were.'

There is one observation in this letter which naturally suggests itself. Perceval not merely commits himself to an uncompromising opposition to all concession, but he actually refuses to take office unless he is allowed to object to concession in this thorough way. Yet, only a few years before, he had certainly contemplated the possibility of a more generous policy. In the debates on the Union he had boldly looked forward to a time when it might be possible to relieve the Catholics from their existing disabilities. What had happened in the interval to induce him to modify his previous opinion? Why were the more liberal views, which he had contemplated in 1800, exchanged for the policy of resistance which he expressed in 1804?

No explanation of the change has ever been made; and the change itself has, in fact, attracted no attention. That it had occurred seems clear,

though it may be doubtful whether it is possible to explain it. In the preceding year, however, two marriages had taken place in Perceval's family. His elder sister, Lady Frances, had been married to the Chancellor of Ireland; and a younger sister, Lady Margaret, to Mr. Thomas Walpole. The latter was the eldest son of the Honourable Thomas Walpole, and grandson of the first Lord Walpole of Wolterton. Walpole's father, therefore, was the nephew of the great Sir Robert, and cousin to Horace. Like every member of his family, Walpole was, in politics, a Whig. But he had chosen diplomacy for a profession, and his career had removed him from any active interference in political matters. Singularly enough, he was equally indebted for his professional advancement to each of the great parties in the State. The Duke of Portland, immediately before his fall, had made him minister at Munich; and Pitt, immediately after his accession to office, had good-naturedly advised him to start for Bavaria, before he had time to cancel the appointment. He had now permanently retired from his profession, and had settled himself down to the life of an English gentleman. Though he took considerable interest in history and politics, he derived more pleasure from literature and art. His taste in art was excellent; his knowledge of our literature great. A moderate fortune prevented him from actively indulging the one; but his well-filled library contained many proofs of his knowledge of the

other in the numerous annotations which he made in the margins of his books, and which sufficiently prove his wise discrimination and his extensive reading.

Lord Redesdale is better known, and deserves to be even better known than he is. The Mitfords were a plain, undistinguished family. Their father, a plain, undistinguished man. But he gained a far greater distinction than a long pedigree would have afforded him from the merits of his children. He had only two sons: William, the historian of Greece; John, who was successively Solicitor and Attorney-General, Speaker of the House of Commons, and Lord Chancellor of Ireland.

John Mitford was born in 1748 and applied himself, after leaving Oxford, to the study of the law. He soon gained great reputation, both as an advocate and as a writer on abstruse questions in equity. Like other successful barristers, he sought his professional advancement in Parliament. He was returned for Beeralston in 1789; was made a Welsh judge in 1790, succeeded to the Solicitor-generalship in 1793, and became Attorney-General in 1799. On Addington's becoming Premier, he was advanced to the Speakership, but on Lord Clare's death in 1802 was promoted to a peerage and the Chancellorship of Ireland. That these successive promotions were well deserved may be inferred from the opinions both of his contemporaries and his successors: Warren styles him, 'That consummate Master of Equity, the late Lord Redesdale.' Sir Thomas Plumer said of

his Treatise on Pleadings, 'To no authority, living or dead, can reference be made with more propriety for correct information respecting the principles by which courts of equity are governed, than to one whose knowledge and experience enabled him fifty years ago to reduce the whole subject to a system with such universally acknowledged learning, accuracy, and discrimination, as to have ever since been received by the whole profession as an authoritative standard and guide.' Shiel, in his book on the Irish Bar, says of his Chancellorship, 'That great lawyer introduced a reformation in Irish practice. He substituted great learning, unvaried diligence, and a spirit of scientific discussion for the flippant apothegms and irritating self-sufficiency of the late Lord Clare.' While, on the other side of the Atlantic, Judge Story, speaking of the same period, dubs Lord Redesdale 'one of the ablest judges that ever sat in Equity.'[1]

In politics Lord Redesdale had uniformly attached himself to the Tory party. His Toryism was of that extreme kind which has been associated with Lord Eldon and Perceval. He went to Ireland the enemy of the Catholics; he returned from that country the firm opponent to their claims. His whole mind was concentrated on the gross abuses which disgraced both the Castle and bench in Dublin; the whole end and object of his statesmanship was to purify and reform both the one and the other. This object he

[1] See Allibone's 'Dict. of Eng. and Am. Authors.'

fancied could be best attained by a close alliance with the Protestant faction. The Roman Catholics he regarded as the enemies of all government, and therefore obstacles to the cause of order and reform.

Such were Lord Redesdale's opinions. He advocated them with great force and great ability, in a series of letters which he addressed to Perceval, and which give a striking picture of the corrupt state of Irish society. It was natural that Perceval should be more or less influenced by his brother-in-law's opinions. Lord Redesdale was the great equity lawyer, whose steps he had been following at the bar. On more than one occasion he had been his future kinsman's junior. He was a statesman of the same party as that to which Perceval had attached himself; and he was now capable, from residing among them, to judge more closely, than would otherwise have been possible, the needs and requirements of the Irish. Was it not natural that Perceval should have regarded Ireland through Lord Redesdale's spectacles? that his own distrust of his Roman Catholic fellow-subjects should have been intensified by the bitterness of his brother-in-law's opposition to them?

Such is possibly the explanation of the gradual strengthening of Perceval's views on this particular subject. Pitt did not object to his explanations. Perceval joined the Ministry; and became, as Rose had anticipated, one of Pitt's most useful lieutenants.

The remaining events of the Session of 1804 were not of importance. One, perhaps, need alone be alluded to; less from its importance than from its singularity. James Morison, a Scotch farmer in Banffshire, had a servant named Garrow. The man, contrary to his master's wishes, and indeed to the latter's orders, had joined a Volunteer corps. His master refused to allow him to attend drill; he disobeyed, and was dismissed for his disobedience; Morison declining to pay him the wages that were due to him. The Sheriff-substitute of Banffshire thought it his duty to represent to the Lord Advocate the bad effect which Morison's proceedings had produced at a moment when invasion seemed imminent, and Scotland was almost destitute of troops. The Lord Advocate, in an intemperate and indefensible reply, styled Morison's conduct 'most atrocious,' and desired that 'on the first Frenchman landing in Scotland you do immediately apprehend and secure Morison as a suspected person; and you will not liberate him without a communication from me; and further I shall do all I can to prevent him from receiving any compensation for any part of his property which may either be destroyed by the enemy or by the King's troops, to prevent it from falling into the enemy's hands.' The publication of this correspondence naturally created a great impression. Whitbread drew the attention of the House to Hope's—the Lord Advocate's—conduct. The latter pleaded, as an excuse for it, the circumstances of the time, and

the responsibility they threw on him. Perceval, on behalf of the Government, moved to pass to the orders of the day. 'If we were not to be dragooned into volunteering,' he said with reference to an expression of Whitbread's, 'we certainly ought not to be dragooned out of it.' The Government on a division secured a considerable majority, 159 votes to 82.[1] 'Whitbread's motion,' wrote Wilberforce that evening in his Diary, 'Pitt's and Perceval's honest, manly, and moderate way of taking it.'

Parliament was prorogued on the last day of July. During the recess Perceval's attention was drawn to a subject as important as at that time it was novel. An application had been made to Lord Hawkesbury, the Secretary of State for the Home Department, to institute proceedings against the Managers of one of the earliest Trades Unions that were formed in this country. The Union consisted of London Shoemakers; and the interference of the Government was requested by their employers. Lord Hawkesbury, very naturally, referred the application to the law officers; and Perceval, without waiting for the Solicitor-General, replied to it. After observing that, in point of law, the combination was illegal, he proceeded, 'If the effect of prosecuting or not prosecuting by Government was to begin and end with this case alone, it might perhaps be immaterial who carried on the prosecution. . . . But, as it will be viewed as a precedent of what the

[1] Parl. Debates, ii. 788–818.

masters in this trade, and in others, will expect Government to do in future, it seems to me to deserve very serious consideration. For it is not only to be collected from these papers, but it is otherwise too notorious, that similar combinations exist in almost every trade of the kingdom; and, if Government attends to this application on the part of the boot and shoemakers, similar applications must be expected from every other trade. . . . Besides, in all these cases, there are always, whether well founded or not, complaints on both sides; and the impartiality of Government would be awkwardly tested if, after undertaking a prosecution at the instance of the masters against the conspiracy of the journeymen, they were to be applied to, on the part of the journeymen, to prosecute the same masters for a conspiracy against their men.'

'Mr. Perceval's opinion,' writes Lord Liverpool's biographer, in whose work the letter from which these extracts have been taken will be found in full,[1] 'was almost, as a matter of course, acted on by the colleague who had invited it. Lord Hawkesbury declined to institute such a prosecution as had been requested.'

Perceval continued throughout the autumn the correspondence which he had already commenced with his brother-in-law, Lord Redesdale. The majority of the letters, whatever intrinsic interest they may possess—and the interest of some of them

[1] Yonge's 'Life of Liverpool,' i. 166–199.

is very great indeed—cannot properly be considered as germane to this memoir. The earlier of them relate to the want — of which Lord Redesdale bitterly complained — of communication between the Irish and English Governments, and to the difficulties which had arisen in the execution of Lord Ellenborough's warrant for the arrest of Mr. Justice Johnson. Late in the session, however, a far more important matter was mentioned. Pitt and Addington were again brought together. As the result of the meeting they agreed to forget and forgive their recent differences, and to shake hands with each other. Such a reconciliation could not have been a matter of indifference to Perceval. Pitt was the object of his admiration; Addington had introduced him to office. For Pitt he had certainly the highest esteem; for Addington great regard.

'You will have heard by this time,' he wrote to Lord Redesdale late in December, 'that Mr. Pitt and Mr. Addington have shaken hands. I lament extremely that I cannot furnish you with any particulars. I heard (very confidentially) before it took place that there was reason to hope for a reconciliation. But I have not been able to find any one who has been able or willing to tell me anything about it. I believe that some reconciliation has certainly taken place. I conclude it must necessarily be political as well as personal; but what arrangement it is to lead to, or whether to any, I know not. To the mutual friends of both, in which number I class both myself and you, I think it a very agreeable circumstance indeed. The opposition will, I think, be maddened by it to an extreme; but I think, though their disposition to hostility may be increased by it,

their means, both within the house and out of it, will be much diminished. . . . I have seen Mr. Pitt,' he adds later on in his letter, 'for ten minutes. He had little more than time to tell me that the reports relative to his and Addington's reconciliation were true; that all awkwardnesses whatever between them were removed, and that both to public and private questions.'

'The reconciliation,' he wrote to Lord Arden the next day, 'is as cordial and satisfactory as the mutual friends of each could wish. I was particularly glad to hear him (Pitt) express himself so very strongly as he did upon it; and having heard before that Addington, to those friends whom he met, expressed himself with equal strength, it left no room to doubt but that the reconciliation was complete.'

On the 14th January he again wrote to Lord Redesdale, chiefly on the proceedings to which reference has already been made in regard to Mr. Justice Johnson:—

'You will probably have heard,' he adds, 'before this reaches you that Hotham is about to resign, and that our friend the Solicitor-General is to succeed him. Who will be Solicitor-General I don't know; but, by conjecture, I expect Gibbs. To the Mastership in Chancery, vacant by Ridley's death, the Chancellor has appointed our friend Bob Steele, who has made up his mind, considering his health and comfort, most wisely to accept it, and, having done so, he seems delighted with it. Of the people who are talked of to succeed Nepean,[1] Bragge, I think, would suit you best. If you should have him, you will find him a man of sterling worth, as a man of business, as well as a gentleman. I don't think the House of Commons holds a man, who would, under all circumstances, suit the situation so well.'

[1] Sir E. Nepean was Secretary to Ireland. Bragge of course is Bragge Bathurst, Addington's brother-in-law.

The day after this letter was written, Parliament reassembled. There is good reason for thinking that Perceval took a prominent part in the proceedings of the session. The atrocities of the Guiana slave-trade were occupying at the time Wilberforce's attention, and he had succeeded in persuading Pitt to promise to issue an Order in Council on the subject. But Pitt was unaccountably dilatory in the matter, and Wilberforce found a warmer friend in Perceval. 'Guiana slave-trade,' he writes in his Diary, 'Attorney-General Perceval honest, warm, steady, and intelligent on the subject.' 'Busy with Stephen and Attorney-General,' he writes, a few days afterwards, 'on Order in Council.'[1] The extracts would have hardly been worth giving, if it had not been that Mr. Earle, in the category of charges which he has thought fit to prefer against Perceval, has included his consistent opposition to Wilberforce's liberal proposals on the slave-trade. It is in such ways as this that history is written, and that the characters of great men of a previous age are vilified! The extract was perhaps also worth quoting because, from this date, the terms of intimacy between Perceval and Wilberforce became apparently closer. The two friends had much in common with each other. Each of them had marked, perhaps peculiar, views on religious questions. The bond of sympathy, which, under any circumstances, would have drawn them together, became the

[1] Diary, iii. 216, 231.

stronger from the close intimacy which Perceval had formed with Wilberforce's brother-in-law and great friend, Stephen. This able lawyer ultimately exercised a considerable influence on the progress of events, and on the character of the two men with whom he was intimately associated.

The first debate of any importance in 1805 arose on the war with Spain. Few wars were ever less avoidable than that which this country was compelled to declare against Spain in 1805. By the treaty of St. Ildefonso in 1796, Spain had covenanted to furnish a stated contingent of naval and military force for the prosecution of any war in which the French Republic might think proper to engage. The character of such a treaty gave Great Britain an incontestable right to declare to Spain that she would not be considered as a neutral power. For prudential reasons, however, and from motives of forbearance, the right was not exercised; and until July 1803, no demand for succour was made by France to Spain. In October of that year a convention was signed, by which the latter of these countries agreed to pay the French a certain monthly sum in lieu of the naval and military succours which they had stipulated to provide. The British minister at Madrid was directed to remonstrate, and to assure the Spanish Government that war would be 'the infallible consequence' of 'a continuance of such pecuniary succour.'[1] The assurances of Spain that

[1] I have chiefly followed in this summary of the causes which

the subsidy was only a temporary expedient gave the English a momentary excuse for refraining from pushing matters to an extremity. But the naval preparations in the Spanish ports in the following year left this country hardly any alternative. The English envoy withdrew from Madrid; the *chargé d'affaires* was directed to present an ultimatum to the Spanish court. Instructions suited to the occasion were issued to the commanders of the English fleets; and, before war actually occurred, a Spanish squadron returning from South America with treasure was intercepted, and, on the refusal of its commander to submit to detention, captured. These events naturally gave rise to important debates in both Houses of Parliament. Pitt moved an address to the King on the 11th February, which, after a discussion extending over two nights, was agreed to by a majority of 313 to 106 votes. The report in Hansard gives no mention of Perceval having spoken. Notes, however, for a speech on this occasion still exist among his papers; and, having regard to his official position, and the deficiency of the Government in debating power, the balance of probability is in favour of his having spoken.

A debate on the Roman Catholic Petition demanded higher powers. Lord Redesdale had already primed his brother-in-law with the proceedings of the Romanists; and the successive pictures, which

led to the war the declaration of the English Government.—*Vide* Hansard, iii. 124.

he had sent him from Ireland, of the designs of the members of that Church, had, there are good grounds for assuming, induced Perceval to reconsider the opinion, which he had previously expressed, of the possibility of some concessions.

'Our attention,' wrote Lord Redesdale, 'has been somewhat engaged of late by the meetings of the Roman Catholics in Dublin for the purpose of petitioning Parliament. The meetings have been promoted by some violent and ambitious men, who, having acquired large fortunes, outweigh the influence of the ancient nobility and gentry of their persuasion. . . . . The question of Catholic Emancipation, considered as a question of religious tolerance, as necessary from tenderness to the consciences of men, is a mere farce. Those who are the leaders aim at the repeal of the legislative union of Great Britain and Ireland, a separate legislation for Ireland, and a new municipal Government,—founded on the system of the first French Revolution,—an independent Irish nation, and a nominal king. . . . . The Irish consider themselves as a conquered people, their lands as taken from them by fraud or force, the Government as throughout a usurpation, and resistance to it as highly meritorious, its overthrow and the expulsion of the English a consummation devoutly to be wished. Unless ministers shall act with firmness and vigour, that overthrow and that expulsion will happen.'[1]

[1] The letter, which viewed in the light of subsequent events

The petition, to which Lord Redesdale referred in this letter, was presented to the House of Lords by Lord Grenville; by Mr. Fox to the Commons, on the 25th March. The latter appointed the 9th of May for taking it into consideration. The debate was ultimately fixed for the 13th of that month; and the evening was mainly occupied with four great speeches. Abbot sums it up with characteristic conciseness. 'Fox, three hours; Duigenan, two hours; Grattan, one hour forty minutes; Attorney-General, one hour. Fox spoke with great ability; Grattan initiated his Parliamentary career with a speech of extraordinary eloquence.'[1] The short newspapers of those days had already devoted so much space to these orators, that they were compelled to compress Perceval into two or three lines. The report in Hansard is, comparatively speaking, not much fuller. But a verbal report of the speech was published many years after its delivery, by Mr. Dudley Perceval, from his father's draft of it, and it is therefore possible to obtain an accurate record, not, indeed, of Perceval's best manner, but of his views on the Roman Catholic Question.[2]

is certainly a remarkable one, is printed nearly *in extenso* by Mr. D. M. Perceval, 'The Church Question in Ireland,' Blackwood, 1844, Mr. D. M. Perceval confirms my conclusion that Lord Redesdale's influence with his father induced the latter to withhold the concessions he was previously inclined to make to the Roman Catholics.

[1] Colchester, ii. 2.

[2] The Church Question in Ireland,' London, Blackwood, 1844.

Perceval based his argument on the hypothesis, 'That a nation has a full and unquestionable moral competency to give and intrust its political power, or any portion of it, its authority, executive or legislative, its offices of trust, of power, or of influence, to such persons, and in such degree, on such terms and on such conditions, as it may judge most expedient to the general security of the Constitution at large; to the security of any part of its establishments; or to the general tranquillity or happiness of its subjects. . . . . Neither the Roman Catholic, nor any other dissenter, nor any other description of man, be he what he may, has any right to any share of political power beyond what the Legislature thinks proper to give him; the Legislature, which made the office, being the judge of the qualifications which fit a man to fill it.' The propriety, therefore, of conceding the Catholic claim turned not on any question of right, but on one of expediency; and Perceval devoted a considerable portion of his speech to showing that it was inexpedient to make the concession. First, because it would fail to conciliate the Irish; and, second, because the concession would be the stepping-stone to further demands.

After a two nights' debate, the House rejected, by a large majority,[1] Fox's motion. 124 members voted in favour of it; no fewer than 336 against it. There can be no question as to the opinion of the present generation on the merits of that

[1] Parl. Hist. iii. 1060.

decision. It may, perhaps, be worth while to cite one instance of the view which Perceval's contemporaries formed on the subject. Lord Redesdale had come over to England to attend the debates on the petition in the House of Lords. On his return to Ireland he naturally wrote to his brother-in-law. After a long exordium, which it is unnecessary to quote here, on the corruption of the Irish Government, he goes on:—'With the Protestant part of the country, the Union has gained considerably by the manner in which the Catholic Petition has been rejected. They think they may now have some reliance on the Imperial Parliament; and the Catholics are generally said to be more down, or rather less up, than at any time since 1793. I believe that if Government would give due attention to Irish affairs, and make the Irish Government truly respectable, ... the country might soon be brought to order. I am clearly of opinion with the Speaker that it depends only on the Government of England whether Ireland shall be a Catholic or Protestant country. . . . . Give us good bishops and good judges, and twenty years will do much.'

It is hardly, however, within the natural province of this memoir to refer to the abuses in the Irish government, and it will, therefore, be necessary again to revert to the state of affairs in the House of Commons. Great as was the interest excited by the debate on the first Roman Catholic petition,

the revelations of the Naval Inquiry Commissioners soon caused it to be forgotten. The Commissioners of Naval Inquiry had been appointed in 1803, to examine into any irregularities, frauds, or abuses, which are, or have been, practised by persons employed in the several naval departments. Nine reports were made in the course of 1803 and 1804. The tenth 'on the office of the Treasurer of His Majesty's Navy' was completed on the 13th February, 1805. The Commissioners first directed their attention to the balances in the Treasurer's hands at the conclusion of each year; and they 'discovered that the sums standing in the name of the Treasurer of the Navy at the bank were, for the most part, considerably less than his unappropriated balances.' They therefore deemed it their 'duty to enquire minutely into the cause of these deficiencies; and, with this view, examined Mr. Trotter, who had been promoted by Lord Melville from a Clerkship in the Navy Pay-Office to the Paymastership.' Mr. Trotter acknowledged that he had been in the practice of drawing money from the bank in large sums, and lodging it in the hands of private bankers, previously to its being issued to the sub-accountants for the public service. The practice, he stated, had been introduced in 1786, with the knowledge and approbation of the Treasurer. Money applicable to Navy services had been advanced to Lord Melville, and employed by his lordship in the public service of the State. The Commissioners,

having extracted this information from Mr. Trotter, next addressed themselves to Lord Melville. His lordship declared his inability to furnish them with an account. 'Being often in the practice of employing occasionally some time in assorting my papers, and destroying those that were useless, I am satisfied that there does not exist any one material by which I could make up such an account as you specify. But, independently of that circumstance, I think it right to remind you that, during a great part of the time I was Treasurer of the Navy, I held other very confidential situations in Government. . . . . So situated, I did not decline giving occasional accommodation from the funds in the Treasurer's hands to other services. . . . . If I had materials to make up such an account as you require, I could not do it without disclosing delicate and confidential transactions of Government, which my duty to the public must have restrained me from revealing.' But Lord Melville was not satisfied with imposing a reserve on himself where the public service would have been injured by his speaking. 'He also declined,' wrote the Commissioners, 'to inform us whether he had derived any profit or advantages from the use or employment of money, issued for carrying on the current service of the Navy between January, 1786, and May, 1800. However,' they add, 'the apprehension of disclosing delicate and confidential transactions of Government might operate with Lord Melville in withholding information respecting ad-

vances to other Departments, we do not perceive how that apprehension can at all account for his refusing to state whether he derived any profit or advantage from the use or employment of money issued for the services of the Navy.'[1]

The proceedings which ensued are well known. Whitbread, on the 8th of April, moved a series of resolutions, affirming the conclusions at which the Commissioners had arrived; and insisting that 'Lord Melville, having been privy to, and conniving at the withdrawing from the Bank of England, for purposes of private interest or emolument, sums issued to him as Treasurer of the Navy, has been guilty of a gross violation of the law, and a high breach of duty; and that, in applying money issued for the service of the navy to other services, stated to have been of so delicate and confidential a nature, that in his opinion no account can or ought to be given of them, has acted in a manner inconsistent with his duty, and incompatible with those securities which the legislature has provided for the proper application of the public money.' Pitt defended his old friend and colleague with the full force of his ability, and moved an amendment to refer the tenth report to a Select Committee, ultimately consenting, on a suggestion of Fox's, to substitute for his motion the previous question. Lord Henry Petty replied to Pitt, and Perceval, in his turn, answered Lord H. Petty.

[1] The Tenth Naval Report will be found in Hansard's Debates, iii. 1147–1212.

Early on Tuesday morning the House divided. 216 members, it was found, had voted for Whitbread's motion, and the same number for the previous question. The Speaker gave his casting vote[1] in favour of the motion; and the House passed the first ten of the thirteen resolutions. The eleventh provoked so much opposition, that it was found necessary to adjourn the debate; and it was ultimately determined to report the ten resolutions alone. Whitbread then carried a motion that the resolutions should be laid before his Majesty by the whole House; and the House subsequently adjourned for the Easter Recess. Immediately after the holidays Whitbread followed up his success by moving for a Select Committee to make further inquiry into the matters contained in the Report of the Commissioners. Pitt met the motion with an amendment to limit the inquiries of the Committee to certain specified points. Perceval again took a prominent part in the debate; the Minister's amendment was carried by 229 to 151 votes; and a subsequent proposal that the Committee should be appointed by ballot, endorsed by 251 votes to 120.[2]

The rest of the proceedings during the Session of 1805 can easily be recapitulated. On the 29th of

[1] No historian, so far as I am aware, has ever criticised this vote of the Speaker's; but it seems clear that it was wrong. It is the Speaker's duty in the case of a tie to give a vote which shall allow the question to be raised again. The Speaker, therefore, on this ground should have voted for the previous question.

[2] Parl. Debates, iv. 255, 327, 398, 427.

April Mr. Spencer Stanhope proposed that the Attorney-General be directed to take such measures as may appear most effectual for ascertaining and securing, by a due course of law, such sums as may be due to the public from Lord Melville and Mr. Trotter. Bankes, on the part of the Opposition, met the motion with an amendment, that 'the Attorney-General be directed to prosecute the said Lord Melville and Mr. Trotter for the said offences.' Perceval again spoke in support of the original motion, which was carried by 223 votes to 128.[1] The nomination, on the last day of the month, 'of the committee which Whitbread had obtained led to another hot debate, in which Perceval again took part. Lord Castlereagh was one of those who had secured a majority of votes; and the Opposition endeavoured to substitute for his name that of Mr. Baker, on the ground, as Whitbread put it, that the noble Lord was not 'only a placeman, but a perpetual placeman.'[2] But they were beaten by a large majority: 219 members supporting the minister, and only 86 voting for Whitbread's motion.

The Opposition, however, were not satisfied. The report of the Select Committee was laid on the table on the 27th of May; and Whitbread immediately gave notice that he should, on the first open day, submit to the House a motion for the impeachment of Lord Melville; and on the 11th of June the motion was actually proposed.[3]

[1] Parl. Debates, iv. 504, 506. [2] Ibid. 536. [3] Ibid. v 121.

'We hope,' wrote Perceval to Lord Redesdale on the previous evening, 'we shall be able without much difficulty to prevent the *impeachment* of Lord Melville, which is to be moved for on Tuesday (to-morrow). He is to appear at the bar and be heard in his defence. We have no fears at all on the subsequent question respecting Mr. Pitt. There seems with regard to Lord Melville's impeachment to be a strong sentiment arising that, after having *resolved*, having applied to the King, and having directed a civil prosecution for the recovery of money, &c.,—that after all this to impeach is persecution, which no temperate view or consideration of justice would require or countenance.'

The result of the debate confirmed Perceval's view. 272 members voted against the impeachment, while only 195 supported Mr. Whitbread. But, on a subsequent division, an amendment of Mr. Bond for a criminal prosecution was carried by 238 votes to 229. Perceval spoke, late on the second night, winding up the debate on behalf of the Government, and deprecating the injustice of proceeding against any person twice for the same offence. 'If the House wished to be governed by analogy, and to proceed as in any other place would be a matter of course, the civil proceedings,' which had been already instituted, 'would form a complete and invincible obstacle' to any further action. 'Those, who wish Lord Melville to appear on his trial for what they have already punished him, forget the principles of British justice—moderation and mercy — and I hope the House will not proceed in a way by which an ordinary prosecutor would disgrace himself.'[1]

[1] Parl. Debates, v. 376 and 377.

The subject was partially renewed on the 20th of June. Bond inquired of Whitbread whether the Attorney-General had power to exclude from the prosecution he had been desired to institute any of the matters contained in the tenth Report; and Perceval took advantage of the opportunity to point out the inconvenience of the course which the House had adopted, and to ask for specific instructions for his guidance. Should the civil suit which he had been directed to institute be wholly suspended, or should he endeavour to carry it on against Mr. Trotter singly? If he proceeded civilly against Mr. Trotter, was he at liberty to use him as a witness against Lord Melville? Was he at liberty to bring in proof against Lord Melville what had fallen from him in that House at the bar? Under the old system, when prosecutions were made the subject of address, these difficulties would not have occurred, as the law officers could have applied to the Secretary of State for instructions in any dilemma. But now that prosecutions were instituted at the immediate command of the House, the Attorney-General was compelled to ask the House 'to instruct him specifically by vote as to what it wished him to make matter of particular charge.'[1]

The difficulties, which Perceval pointed out in this speech, he was no doubt able to expose from the circumstance that the Government had made up their minds that an impeachment would be prefer-

[1] Hansard, v. 484.

able to a criminal prosecution. Pitt probably hoped, on the 11th of June, to be able to defeat both propositions. The small majority in favour of Mr. Bond's motion proved the miscalculation he had made; and he determined to retrace his steps. Leycester gave notice, on the 24th, that he would move that an impeachment be substituted for the proceedings which had been agreed upon. And, upon the following day, after a speech, in which Perceval again expressed all the difficulties in which the Commons had involved themselves, the impeachment was carried by a majority of 23 in a comparatively thin House of about 300 members.[1]

The proceedings against Lord Melville were in every way unfortunate for the Ministry. Pitt's reputation was lowered by the degradation of his old colleague, and dissensions arose in the Cabinet itself. Addington, who after his reconciliation with Pitt had been made Lord Sidmouth, and had joined the Ministry, regarded Lord Melville's position from the first with disfavour. The appointment of Sir C. Middleton, as Lord Melville's successor at the Admiralty, increased Lord Sidmouth's displeasure. He resigned his new office, and was with difficulty induced to withdraw his resignation.[2] A slight matter increased the difference which had thus arisen. Lord Sidmouth desired that Bond,

[1] Hansard, v. 607, 615.

[2] Pellew's 'Life of Lord Sidmouth,' ii. 354, 364.

one of his closest friends, should be made Judge-Advocate. Pitt, on the contrary, felt that the line which Bond had taken made his appointment impossible. Lord Sidmouth thereupon retired from the Ministry.

'The immediate cause,' wrote Perceval to Lord Arden on the 11th July, 'of the resignation was Pitt's refusal to make Bond the Judge-Advocate. It has been understood for some time as settled and arranged that Bond should succeed to that office. But Mr. Pitt felt that, if so immediately after Bond had taken so forward, and in manner and appearance so hostile, a part upon the proceedings against Lord Melville, the next act of government was to place him in this situation, it would have the effect of degrading and lowering Pitt in public opinion; Lord Sidmouth thought that, as the part taken by Bond was perfectly with his concurrence, if he were to acquiesce in having it understood that such a part was a sufficient cause for his promised arrangement to be set aside, that he would be degraded and lowered, and therefore he could not submit to it. This I believe to be the immediate cause; but, what I feel as the real one, is the manner in which the friends (as they chose to term themselves) of Mr. Pitt—but I think their distinctive characteristic and description should be the *enemies* of Lord Sidmouth — have constantly spoken of Lord Sidmouth and his friends. This it is that has created that feeling on each side, which has led to the supposition that every measure is to be considered with a view to the effect it is to have, in the public opinion, upon the question whether Mr. Pitt or Lord Sidmouth was really the person to dispose of the influences and patronage of Government.'

The resignation of Lord Sidmouth was not the

only consequence of the Parliamentary proceedings on the Tenth Report. Grey, on the 25th April, drew attention to an article in the 'Oracle,' in which the proceedings of the House of Commons had been criticised in strong language. The article, which was prefaced by a notice of Sir Charles Middleton's appointment, professed to regret that 'party rancour and popular clamour have at this time deprived our King and country of the great and powerful abilities of Lord Melville. . . . We cannot help again and again declaring that Lord Melville has fallen a victim to confidence misplaced, to prejudice misjudged, and to indignation misapplied.' This passage and some others in the article were perhaps in the strict sense of the term libellous; but neither it nor they were worse than many with which this generation is familiar, and which are probably the natural and necessary result of a free press. Grey moved that the publisher of the paper—a Mr. Peter Stuart—be called to the bar. Pitt insisted that the libel was no worse than many others which had passed unnoticed. Perceval pleaded for deliberation and the delay of a day, and Stuart was directed to attend on the morrow.[1] On the morrow Mr. Atkins Wright protested with much good sense against the adoption of severe measures. 'His peace of mind was not destroyed, because his conduct had been censured;' and 'the honour and dignity of Parliament would best be maintained by passing over in

[1] Hansard, iv. 381, 382, 387.

silence such trifling indiscretions.' Sheridan followed shortly afterwards in the same strain, protesting that the article, libellous as it undoubtedly was, compared with others he had seen, was mere milk and water. The Opposition were determined to press their point. After strong speeches from both Fox and Grey, Stuart was summoned to the bar; and the apology that he offered was so far a defence of Lord Melville that it made the matter worse. Grey moved that Peter Stuart had been guilty of a high breach of the privileges of the House, and Perceval rose to attempt to defend him. His apology deserves to be quoted for the inimitable manner in which he carried the war into the enemy's quarters. 'I stated before,' he began, 'that I had no doubt that this came under the description of a libel, and I think so still; but I also said that I did not think that the House ought to interfere in the business. This is still my opinion. Many things come before me which I cannot hesitate to pronounce libels; but from the circumstances that attend such cases I should not advise that any notice should be taken of them. . . . An honourable gentleman over the way said that he had great difficulty in finding any libel similar to the present one. Sir, libels do not make such lasting or strong impressions in other cases as they do when they are directed against ourselves. I recollect, sir, when public prints made that honourable gentleman (Fox) state at clubs and meetings that the House of Commons

was so lost to everything that was just and proper that there was no use whatever in attending in it; and I remember, too, that the honourable gentleman was absent from his duty in the House at the time; yet, sir, I do not say that the honourable gentleman absolutely held this language, but I do say that the prints made him say so, and adopted that mode of conveying their sentiments with more weight. But after all this, sir, there was no interference on the part of the House.' 'This little page,' writes the author of the 'Pictorial History,' 'from the history of Fox's secession, made a great impression, and called up Fox, who, however, could not deny a single iota of it. Stuart himself, the cause of this, was, on Pitt's motion, taken into custody, and was only discharged on payment of his fees on the 2nd May.'[1] Perceval again took the opportunity to say that 'the great zeal, that some gentlemen now showed to punish a libel on the majority of the House, appeared difficult for him to account for in any other way than he had already done by supposing that they were attached to majorities or minorities, exactly as they themselves happened to belong to the one description or the other. Having now found a libel on a majority to include themselves, they were ready to vote for increasing the punishment.'[2]

[1] Hansard, iv. 441; Pict. Hist. viii. 156.

[2] Hansard, iv. 551.

So far we have been considering the more prominent events of the session, in which Perceval took part. This memoir of him would, however, hardly be complete if no reference were made to one subject, on which he was conspicuously silent. The restoration of Pitt to power induced the Duke of Athol to revive the claim which at intervals he had constantly made for further compensation for his lordship of the Isle of Man. The case was peculiar. In 1765 Parliament, on the recommendation of the administration, had passed the Mischief Act, as it was technically called, to remedy the illicit trade between that island and this country. The Duke of Athol, as lord of Man, petitioned against the Bill. The smuggling, which had reduced the custom dues in this country, had swelled the receipts in that island. The Duke and Duchess were heard by counsel; but Parliament determined to turn a deaf ear to their prayer, and passed the Bill. A natural fear, that their revenue would in consequence be largely diminished, induced them to offer to sell their rights in the island to the Crown for 70,000*l.* If the revenue was legitimate, the sum was manifestly small. If the trade, on which it depended, was fairly liable to be stopped by this country, it was sufficiently liberal. That the latter view was correct may be inferred from the offer having been made by the Duke. That Parliament was not disposed to treat him illiberally may be

gathered from the circumstance that on his Grace's petition an annuity of 2000*l.* a-year was added for the joint lives of the Duchess and himself.

The bargain, however, had been no sooner made than one of the parties to it began to disown it. In 1780, in 1783, and in 1790, petitions were presented to Parliament by the Duke complaining of the loss he had experienced from the transaction. In 1801—soon after the change of Ministry—a new petition was presented to the Privy Council, and referred by it to the Attorney-General (Law), and to the Solicitor-General (Perceval). The elaborate report, on which these officers agreed, was subsequently published as a Parliamentary paper. The original, with numerous alterations in Perceval's own handwriting, is still in the possession of the representatives of the latter. 'It is the most satisfactory discussion,' said Curwen in the House of Commons four years afterwards, 'of a mixed matter of law and fact, which ever came under my consideration. . . . Able and masterly as that report is, it cannot but produce conviction with every man who brings an unprejudiced mind to its perusal.' In conformity with the recommendation of their legal advisers, Addington's ministry rejected the Duke's claim. His Grace appealed. Pitt referred the appeal to the Privy Council. The latter neglected to take the law officer's opinion a second time; and recommended, in opposition to their previous decision, that further compensation should be

given.[1] A bill was brought in for that purpose. Pitt's ministry, not very much to their credit, actively supported it; and, notwithstanding the opposition of Curwen in one House and Lord Ellenborough in the other, it was passed through all its stages.

It seemed necessary to refer in detail to the circumstance, because Lord Campbell, in his life of Lord Ellenborough, assumes that, had it not been for the praiseworthy opposition of that noble lord, the bill would have been smuggled, undiscussed and unopposed, through Parliament—an allegation which seems specially unjust to Mr. Curwen, who strenuously resisted it on every stage. Perceval, as Pitt's Attorney-General, could hardly have ventured on open opposition. His opinion of the matter may, however, be safely inferred from the circumstance that he was consistently absent from all the debates on it. 'One of the subscribers of that report,' said Curwen on the 7th of June, 'now fills a more elevated situation. . . . The other subscriber (Perceval), I sincerely regret, sir, not having the satisfaction of seeing this night in his place; but we all know him to be a man too honourable to permit me to reason from his report, if he had changed the opinions on which it is founded.' 'It must be taken for granted,' said Windham on the 19th of June, 'that the learned gentleman still retained that opinion; at least the

[1] Parl. Hist. v. 215.

House had some reason to lament he did not attend to support his former opinion or to announce his conversion.'[1]

The Bill was ultimately passed on the 10th of July. Two days afterwards Parliament was prorogued by commission. During the earlier portion of the recess rumours were rife that Pitt was attempting to strengthen his government by a coalition with the Opposition.

'I heard yesterday,' Perceval wrote to Lord Arden on the 28th September, 'that Mr. Pitt at Weymouth had freely expressed to the King the weakness of the present government, and his idea of the difficulty which might be experienced in the next Session; and proposed to him the alternative of either attempting to go on as we are, or to make overtures to the Opposition. The King did not hesitate to prefer fighting it out as we are; in consequence of which no offer will be made to the Opposition.'

Later in the autumn the year was memorable for two great battles. The naval supremacy of Great Britain was confirmed at Trafalgar, the military predominance of Napoleon ensured at Austerlitz. Lord Arden's second son, the present Lord Egmont, a young middy of eleven years of age, was at the first of these great engagements.

'I congratulate you and Lady Arden most heartily,' wrote Perceval to his brother, 'on the way that George speaks of his share in the great day of Trafalgar. He is evidently most decidedly attached and riveted to his profession, which has opened upon him under the most favour-

[1] Hansard, v. 215, 457.

able impressions. I should fear that there was great doubt whether he would realise his expectations of dining with you at Christmas; but that is of little consequence compared with his health and general attachment to the service.'

The battle of Austerlitz unfortunately dispelled the hopes which Trafalgar had naturally excited. Pitt, wearied with the cares of office, worried beyond measure with the pending impeachment of Lord Melville, with a constitution physically weaker from the strain of continual mental labour, was unable to bear up against the new blow. When Parliament met he was lying seriously ill at Putney. Before it had sat for many days he was dead.

'I wrote to you a single line yesterday from the House of Commons,' Perceval wrote to Lord Redesdale on the 23rd January, 1806, 'announcing to you the near approach of the death of poor Mr. Pitt. It is now over. He died this morning about half-past four. The Bishop of Lincoln was with him in the house from the time that he came to Putney. And I understand that, upon Mr. Pitt being apprised of his danger, he had the Bishop with him, arranged some private affairs, and that they prayed together, in short, that his mind was quite composed as it ought to have been.

'On what is to follow from this event, either here or in Ireland, I have no means of furnishing you with any information. In my humble opinion the state of parties renders the attempt of forming a government out of the remains of the present totally impracticable; and therefore the true wisdom seems to me to point out the necessity of the King's immediately sending for whatever person in the Opposition he may think unexceptionable, and making the best arrangements which he can by means of him.'

CHAPTER VI.

ALL THE TALENTS.

1806, 1807.

Pitt's Debts and his Friends — Ministerial Arrangements — Solution of an Official Difficulty — Formation of a Cabinet — 'All the Talents' — Correspondence with Lord Ellenborough — The Opposition — Windham — Military Service Scheme — Case of Miss Seymour's Guardianship — Inquiry into the Conduct of the Princess of Wales — Charges against Perceval — Death of Fox — Grenville's Application to Perceval — Dissolution of Parliament — General Election — Unsuccessful Negotiations with France — Napoleon's Continental System and the Orders in Council — Increase of Maynooth Grant.

THE death of Mr. Pitt introduces us to a new era in Perceval's history. The latter, indeed, had never lived on terms of particular intimacy with the great minister. Pitt was, by three years, Perceval's senior at Cambridge. He was Prime Minister of England before Perceval had held a brief. He was surrounded by his own followers when Perceval was first elected for Northampton. The succession of Addington to power made a great intimacy less probable than before. And, when Perceval became Pitt's chief law officer, declining health and increasing cares left the latter little leisure or disposition for social intercourse with a comparative stranger.

Yet no one had recognised more clearly than Pitt the great ability of the young lawyer. Fifteen years before his death a political pamphlet had first introduced the latter to his notice. Five years afterwards he had offered Perceval, in the most complimentary manner, the Chief Secretaryship for Ireland. Nine years before he died he had recommended him to Lord Harrowby as the most fitting successor to himself. He is even said, by no favourable critic,[1] to have had so great an admiration of Perceval's style of speaking that he never missed an opportunity of hearing him. The time was now arriving when the justice of this opinion was to be confirmed. The Tory party in the House of Commons was without a leader. Though Perceval had the disadvantage of his professional avocations to contend against; though he had as a competitor Pitt's favourite pupil, the eloquent Canning, it became more apparent every day that he was the most fitting successor to Mr. Pitt. From the mere accident of his position he became less of a lawyer and more of a politician.

It would, consequently, be unfair if in the rest of this work his conduct were not judged by a totally different standard to that which has hitherto been applied to it. Up to this time, we have been considering the successful career of an able lawyer, whose business both in and out of Parliament was to defend the Ministry with which he had allied

[1] Williams's 'Life of Perceval.'

himself. Unexceptional testimony has been adduced in proof of the stirring manner in which he fulfilled his task. But it must not be forgotten that, during the whole of the period, he was practically irresponsible for the policy of which he was the ablest advocate. Henceforward the case will be different. From the date of Mr. Pitt's death in 1806, Perceval was the most prominent member of the Tory party in the House of Commons. He must be held therefore responsible for the policy that party pursued. From the spring of 1807 he was the leading member of the Portland administration. From that date till his death, he must be held more or less responsible for the policy of Great Britain.

Parliament had met on the 21st of January. The fact that Pitt was dying was known on both sides of the House; and Fox abstained from the opposition on which he had agreed with his friends. Two days afterwards Pitt was dead. On the 25th, the House of Commons, on Lascelles' motion, voted funeral honours to his memory. It would hardly be within the province of this memoir to give a detailed account of the ceremony. It is sufficient here to state that Perceval was selected to bear the banner of Emblems, with Rose as one supporter and Canning as the other.[1] But a more practical question remained for solution. Pitt, it was well known, had died heavily in debt; and Wilberforce was unceasingly employed in endeavouring to get people

[1] Rose's Diary, ii. 257.

to agree to a subscription to pay them. 'Tried many,' he writes in his diary on the 29th of January, 'but cold in general except Attorney-General Perceval, who warm and generous as always.' 'That warmth of sentiment,' Perceval said to him, 'which opens and softens the heart, has a tendency to remove all strictures even those of the purse; but the frame has a tendency to return to its habitual contraction.' But, though Wilberforce adopted Perceval's advice, and lost no time in soliciting the great minister's friends, his applications were apparently with few exceptions unsuccessful. The Bishop of Lincoln even desired to be repaid the loan which he had advanced four years previously. Perceval alone, 'with a large family and a moderate fortune, at once offered 1000*l.* to the proposed subscription.'[1]

But the rest of Pitt's friends were less generous. Nothing like the necessary amount was forthcoming; and application had ultimately to be made to Parliament for the liquidation of debts which ought to have been defrayed by private generosity. The House, on the 3rd of February, decided *nem. con.* to vote the money.[2]

Perceval does not appear to have taken part in this debate. But he prepared and probably delivered a strong speech in favour of Lascelles' motion, which some of the more cautious members of the party apparently desired to tame

[1] Wilberforce, iii. 248 and 249. [2] Han. Debates, vi. 128.

down. The notes are very short, but the following passage is so spirited that it deserves to be preserved:—'It is said that you should have unanimity. Why? The only unanimity that his measures ever had was by the secession of his opponents. They have that choice left. But, if they are here, the probability is that many of them will vote against it. They have the opportunity of being consistent by absenting themselves and not opposing. But we have no opportunity of being consistent by compromising our real sentiments and adopting any expressions of our admiration of the statesman as well as of the man.'

More important matters, however, required attention than the payment of Mr. Pitt's debts or the arrangements for his funeral. His seat for Cambridge had to be filled; a new minister to be appointed. It was perhaps natural that Perceval should have been more than half tempted to offer himself as a candidate for the University. Before Pitt had been dead a day the Opposition had started two candidates, Lord Henry Petty and Lord Althorpe.

'My vanity,' said Perceval in a letter to Lord Redesdale, from which an extract has already been given, 'has much tempted me to offer myself for the same seat. But considerations, which I think my friends must admit to have been weighty, and which I have now no time to detail to you, determined me not to put in hazard the seat I have for the chance of one which would only be better in idea and not in reality.'

The ministerial arrangements were more difficult. The King seems, in the first instance, to have supposed that it would have been possible for Lord Hawkesbury to carry on the government; but his Lordship was satisfied with securing for himself the substantial advantages of the Wardenship of the Cinque Ports, and joined the cabinet in a unanimous recommendation to the King to send for Lord Grenville. But here a fresh difficulty arose. Lord Grenville held the lucrative office of Auditor of the Exchequer, and had little inclination to give up the emoluments of such a post. But it was obviously illegal for the same person to hold that office and a commissionership of the Treasury. Fox, indeed, on the 3rd February, represented the matter as one of doubtful legality. 'He was not aware of that illegality, nor did he very clearly see the foundation of that doubt; but the better way would be to remove all doubts by an Act of Parliament.' He would move for leave to bring in a bill, which might be read a first and second time that evening, and committed on the morrow. At this point the Speaker interposed. It was the recent practice of the House that notice should be given of any subject which it was intended to bring forward. Fox, in return, admitted that the Speaker had correctly described the recent custom, but doubted 'whether the House ought to make so low a bow to modern practice as not in any instance to deviate from it, however urgent the case might be.' Perceval, speak-

ing as Attorney-General, rose to support the chair. 'The question was whether the practice should be attended to, or whether it should be given up to gratify the wishes of the honourable gentleman? If no notice was necessary, a bill might actually be passed through all its stages in one day, and the House would have no guarantee against being taken by surprise on the most important measures.' Fox gave way; but renewed his motion, of which formal notice was immediately given, the next day. Rose opposed it on this occasion with all the weight which his long experience at the Treasury imparted to his opinion. The auditorship of the Exchequer was a check upon the Treasury, and the appointment could not properly be held either by the First Lord or his deputy. The House doubted whether to be guided by the wishes of the Ministry or the experience of Rose, when Perceval suggested that Parliament should itself appoint a trustee to act for the noble lord. Fox and Rose both assented to 'the arrangement proposed by the honourable and learned gentleman;' and the necessary addition was, in consequence, made on the 5th February to the bill.[1]

George Rose implies, in his diary, that the credit of stopping a scandalous arrangement was entirely due to himself. It is certainly true that the merit of exposing the inconsistency of the same person holding the two appointments belongs to him; but the

[1] Han. Debates, vi. 141, 143, 151, 153.

solution of the difficulty was obviously attributable to Perceval's readiness. It seemed necessary to detail the course of events in this memoir, in order that the share which the subject of it had in their management might be placed beyond question.

Lord Grenville, in his new position, had the confidence of both sides of the House. Fox had selected him as his leader; Pitt's friends, as will be immediately shown, were ready to support him against Fox. Notwithstanding, however, the comparative strength of his position, Lord Grenville was anxious to found his ministry on 'a broad bottom,' and to include in it 'all the talents.' It was obviously, under such circumstances, desirable to apply to Lord Sidmouth. This noble lord enjoyed, in a peculiar degree, the confidence of the King. His integrity had surrounded him with a respectable following of his own; his secession from the late Ministry had undoubtedly weakened Pitt's parliamentary position. But Lord Sidmouth naturally objected to come alone. Lord Ellenborough was the most brilliant of the public men who had been specially connected with Addington's administration; and, though his reputation had been earned at the common law bar, Lord Ellenborough was offered the Great Seal. But his lordship had a family, and he hesitated to abandon the permanent advantages of the Chief Justiceship of the King's Bench for the dazzling but less lasting attractions of the Chancellorship. His hesitation was the greater, because

he had the good sense to doubt his own capacity for dealing with Chancery cases. Lord Ellenborough consequently refused the tempting offer. But Lord Grenville conceived that, if the noble lord was unwilling to accept the Chancellorship, there was no reason why the cabinet should not have the advantage of the Chief Justice's counsel. Either from a desire to please Lord Sidmouth, or from satisfaction at the brilliancy of the position, Lord Ellenborough unfortunately accepted the offer. The opinion of the public on the appointment at the time was distinctly unfavourable. No one would probably even attempt to defend it now. But Lord Ellenborough was one of Perceval's greatest friends; and the latter communicated to his lordship, through a common friend, his misgivings on the subject.

'I met Bond to-night,' wrote Lord Ellenborough, in reply on the 8th February, 'at the ancient music; and, from the communication he made to me of your kind anxiety on a certain subject respecting myself, I should be glad of two or three minutes' conversation with you. In yielding, with considerable reluctance to the wishes of others that I should become a member of the Cabinet, in the qualified way in which I shall allow myself to be one at all, I do not feel that I can possibly incur the risk even of inconsistency with those duties to the due discharge of which I am not only ready but determined to sacrifice every other consideration. I have stipulated, expressly not to be present at the consideration of any criminal questions, or questions in any degree connected with the particular subjects of my jurisdiction. You know, I daresay, that the Cabinet is only a Committee of the Privy Council, and that there is no subject,

which comes before them, upon which the Crown might not already require me to advise in my capacity of privy counsellor. I have disposition little enough to devote myself to politics; and have no curiosity to gratify in reading dispatches. To the extent to which my convenience may be broken in upon, by allowing myself to be occasionally summoned to extraordinary councils (as Lord Mansfield, I understand, for a long time was), I make a sacrifice to the request of one, who has a right to ask of me any sacrifices which are not inconsistent with public duty. I shall be glad if, on considering the matter further you shall see it in a different light, for I should be extremely sorry to act, in a matter of decorum and propriety, and much more in point of duty, against the opinion of a person whom I esteem so correct a judge of them, and whose practice is as correct as his judgment.'

The interview which he had with Perceval had not, however, the effect of inducing Lord Ellenborough to reconsider his decision. He accepted Lord Grenville's offer. Strong opinions were expressed on the appointment on all sides, and Lord Bristol and Spencer Stanhope gave notice of their intention to move resolutions in either House of Parliament on the subject. On the eve of the debate Perceval ventured on a second remonstrance with his Lordship. The correspondence which ensued, and which is in the possession of Perceval's representatives, is printed by Campbell, in his 'Life of Lord Ellenborough.' It is of sufficient importance to justify its insertion in a note here.[1] But Lord

[1] 'My dear Lord,—I believe Mr. Spencer Stanhope will certainly give notice to-morrow in the House of Commons of his intention to

Ellenborough again declined to give way; and debates, on the 3rd of March, took place in both

submit some motion to the House, on the subject of your Lordship's situation in the Cabinet. Feeling as I do upon the subject, and convinced as I am, after a great deal of reflection upon it, that the propriety of the appointment cannot be maintained in argument, I should think that I acted unkindly, if not treacherously, by you (especially as I shall myself with these feelings be obliged to take part in the debate), if I did not once more, with great earnestness, recommend to you the expediency of reconsidering the subject, and of retiring willingly, in deference to the public sentiment, from the situation in question. I advise it the more readily, because I am sure you do not court the situation yourself, and that you are risking your own character, which is too important a public possession to be risked lightly, out of deference to the feelings and wishes of others rather than your own. However unpleasant it may be, either to you or your friends, to take a step which apparently acknowledges that you have fallen into an error, yet, as you may depend upon it, it will come to this at last, or else raise a ferment of which you at present have no conception, and in which your friends will leave you to yourself, it is clearly less unpleasant to you when the implied acknowledgment will only be that you have committed an error, into which under the circumstances any person might very naturally have fallen, than to wait till the time when this implied acknowledgment will not only be that you have committed an error, but that you have tried to persevere in it after it was pointed out to you, and against, if not the force of argument, at least the weight of public opinion. Your friends, who advise you against the step which I now recommend, cannot, I am certain, see this subject in all its bearings, or they could not as your friends so advise you. You and they both, living perhaps encircled a good deal by your own friends (who borrow their impressions upon such subjects in great measure from yourselves, and do little more than reflect back upon you your own opinions), do not come in contact with the opinion of the public. The confidences and kindness with which you have ever favoured me, have drawn from me this frank exposure of my sentiments. I trust you are not offended at it. As far as party feeling against the Government could go, I assure you that I should court the discussion; and I cannot trace

Houses. In the House of Lords no division occurred, and Lord Sidmouth conceived that the pro-

in my own mind any improper bias which actuates me, unless, indeed, the disinclination which I feel to be forced into a situation where my duty will oblige me to take part in a debate, possibly unpleasant to your feelings, may be deemed an improper bias.

'I am, &c.

'*Lincoln's Inn Fields,* 'SP. PERCEVAL.
'*Feb.* 23*rd*, 1806.'

'My dear Sir,—I should not truly state my own feelings upon the occasion if I did not say that, on many accounts, I received very great pain from the perusal of your letter.

'You will no doubt conscientiously pursue your own line of conduct. I have only to request that you will have the charity to suppose that I am equally guided by principles of duty, when I declare my intention of abiding and conforming to the sense which the Houses of Parliament may think fit to express on my subject.

'I would, as you advise me to do, *retire in deference to the public sentiment,* if I was perfectly satisfied that the sentiment of the unprejudiced part of the public did not accord with my own; but I am yet to learn that the judgment of those who consider the question without party bias is against me; and am wholly at a loss to discover what duties, in respect of advice to the Crown, are cast upon me in the character of what is called a Cabinet Counsellor, which do not already attach upon me as a member of the Privy Council under the oath I have taken, in case His Majesty should think fit to require my advice as a Privy Counsellor (as he has frequently done that of others) upon subjects relative to the Executive Government of the country.

'However, as you tell me *you are convinced that the propriety of the appointment cannot be maintained in argument,* I will forbear to waste my time or your own in unavailing discussions, and remain, with thanks for the frankness and explicitness of your communication, and a strong sense of former kindness,

'Very sincerely yours,

'*Bloomsbury Square,* 'ELLENBOROUGH.
'*February* 24*th*, 1806.'

priety of the appointment had been indisputably established. In the House of Commons the Talents'

'My dear Lord,—I cannot possibly permit the letter which I received from you this morning to be the last which shall pass between us upon the subject to which it relates. I cannot fail to see that you are much offended by my former letter; and I must endeavour to remove, as far as I can, the grounds for that offence, which any objectionable expressions in it may have afforded. If there is any word in it which intimates or insinuates the slightest or most distant opinion that you will not act, or that you have not acted, upon this occasion, as upon all others, upon what you conceive to be the true principles of duty; or which conveys the least ground for your thinking it necessary to request that I have *the charity to suppose* you will do so; I can only say that I have been most unfortunate in the language which I have used, and have conveyed a sentiment directly the reverse of what I felt, as well as of what I intended to convey. From some expressions of my letter, which you repeat underlined, I fear that, in expressing strongly what I strongly felt, I have used language which you have thought disrespectful. If I have done so, I am extremely sorry for it, and ask your pardon most readily for the *manner* in which I have executed my purpose. But for the *matter* of it, I am so conscious that I never acted by you or anybody under a more sincere impression of personal regard than in writing that letter, that, though I must be sorry for my failure, I should even now reproach myself if I had not sent it.

'When I referred to the sentiments of the public being against the Government upon this question, I ought certainly to have been aware that nothing is more difficult than to collect with any accuracy the public opinion. But I did so refer to them, because I have conversed with and collected the sentiments of many persons, some of them members of our own profession (whose judgments form no unimportant criterion), and also of several persons *friendly to the present Government*, and I have not met with a single one who has doubted of the impropriety of the appointment. You state "that you are yet to learn that the judgment of persons who consider the question without party bias is against you." I fully believe that you are so, and it was my belief of this which is my only justification for troubling you with my letter. Your situation

Administration were so powerful that they were supported by 222 votes to 68. Perceval spoke on

is so elevated that you have no chance of obtaining information upon such a subject, unless some real friend will, as I have done, risk with the hope of serving you the chance of offending. I have exposed myself to that chance, and I fear have been unfortunate. Even now I doubt whether you distinguish between the illegality, which you certainly may contest, and the impropriety of this appointment; its inexpediency, its tendency to diminish, not the true upright and independent administration of justice (for in your instance I am sure that will never be), but the satisfactory administration of it in the opinion, or, if you please, the prejudices of the public. It was this impropriety that I stated (in terms which I wish I had not used, because they offended you) could not be maintained in argument. I will, however, trouble you no further upon it, and should be ashamed of having troubled you so long, but for the concluding sentence of your note, in which, in expressing a strong sense of my *former* kindness, you too plainly imply that in this instance you suppose me to have departed from it, and I thought it but due to that kindness and friendship which I wished still to retain, or recover, not to spare myself any trouble in endeavouring to remove, as far as I can, the unfavourable impression you have received. I hope, however, you will do me the favour to keep what I have written; and if, when temporary feelings have passed by, you will fairly ask yourself what possible motive I could have had to have written an unpleasant letter to you, on this or any other subject, except that which I profess, I think you will be convinced that you can find no trace of any intentional departure from the most friendly kindness and goodwill in anything I have done.

'I am, &c.

'SP. PERCEVAL.

'*Tuesday Morning.*'

'My dear Sir,—I received your letter this morning as I was setting out for Guildhall, or would have immediately thanked you for the kind terms in which it is written, and the friendly spirit it breathes. Nothing will give me, I assure you, greater concern than that any event should in the collision and conflict of parties

the motion. His speech was evidently prepared with unusual care, as the rough notes for it, and a complete draft of it, which are still in existence, prove.

Whatever opinion may be formed of the terms in which Perceval's first remonstrance to Lord Ellenborough was couched, there can, in these days, be no doubt that the former was entirely in the right, the latter completely in the wrong. Since

happen, which might occasion even a temporary interruption of that confidence and regard between us, from which I have derived so much satisfaction, and which I had hoped would endure as long as we both lived. I cannot help acknowledging that the admonition to retire from my present situation, and some other expressions contained in your first letter, appeared to me of an harsher tone and temper than I thought you would on consideration have been pleased with yourself for having adopted in any communication with me. But the sensations they excited in my mind were more those of sorrow than of anger. Upon the principal question between us, I forbear to say a word. The position in which that question now stands precludes the possibility of my adverting to it with any degree of delicacy. I have, therefore, only to add that I remain with a sincere regard, founded upon approved circumstances of character and conduct, which I trust no events can change, nor time efface,

'Most faithfully yours,

'ELLENBOROUGH.

'*Bloomsbury Square,*
'*February 25th,* 1806.'

N.B. I have corrected Perceval's letters, of which only the drafts are in the possession of his representatives, by Campbell, who has clearly taken them from the original. Lord Ellenborough's letters, on the contrary, are copied from the originals, and differ in some degree from those which Campbell, who probably copied only the first drafts, has published.[1]

[1] See 'Lives of the Chief Justices,' vol. iii. pp. 189–192.

the propriety of the appointment was affirmed in the one House without a division, and in the other by a preponderating majority, no minister has ever ventured to suggest the possibility of a Judge holding a cabinet office. Lord Sidmouth's complacency has not even commended itself to his biographer; his example has not found a solitary imitator.[1]

Lord Ellenborough's refusal of the Great Seal, from which this difficulty had practically arisen, led to a new dilemma. The Chancellorship had to be filled up; and there was no Whig lawyer with evident qualifications for the office. Mansfield was first thought of; but his children were illegitimate, and he did not choose publicly to advertise the fact by accepting a peerage. Erskine was then resorted to. Like Lord Ellenborough, he was at home in common law. But, unlike Lord Ellenborough, he did not think his ignorance of chancery practice an insuperable disqualification. Perceval sent his formal congratulations through a common friend.

'I flatter myself,' Erskine wrote in reply, 'I shall not be placed at a greater distance from you, because I have the greatest satisfaction in assuring you that I have always regarded your talents with admiration; and the many virtues which adorn you in private life, as a man and a gentleman, with the greatest possible respect.'[2]

[1] Lord Ellenborough himself is said later in his life to have regretted the appointment. Horner considered 'Lord Ellenborough's nomination to the cabinet as a foul stain upon the new system of Government.'—Letter to A. J. Murray.

[2] Perceval Papers.

It has been necessary to deal in some detail with the arrangements of the new Ministry. It is time now to revert to the position of the Opposition. Pitt's death had given a fatal blow to the organisation of his party. Lord Carrington told Lord Malmesbury that 'we were now all free to act as we pleased. Every bond of union was dissolved; and no obligation remained with any one to abide by a party which had lost its leader, and with its leader everything.'[1] The consequence of such sentiments as these was perhaps perceptible in the crushing defeat which the Opposition sustained on Lord Ellenborough's position. That such sentiments should have been expressed can hardly be considered a matter for surprise. The leaders were at variance; and it was, therefore, natural that the followers should differ. Lord Camden, Lord Castlereagh, and Lord Hawkesbury thought that Pitt's friends should cling together, and watch the Ministry, prepared only to oppose if its conduct were subversive of Pitt's principles; and ready to support Lord Grenville, should it be necessary, against Fox. Rose approved the advice, but resented the interference of the three Lords. Canning, who was carefully spreading a report that Pitt had intended him for cabinet office, was, on the other hand, indignant with Castlereagh's premature activity, and suggested the selection of Lord Lowther, the Duke of Beaufort, or some other

[1] Malmesbury, iv. 350.

considerable peer, as a *point d'appui:* avowing that he would not submit to the lead either of Castlereagh or Hawkesbury in the House of Commons. Rose endeavoured to pacify him, suggesting 'Charles Yorke and Perceval. Canning did not raise so strong an objection to these as to the others, and seemed to think that either of these two might do tolerably well.'[1]

The passage is of importance, because it distinctly proves that, at the very commencement of 1806, the possibility of Perceval's leadership was distinctly foreseen. His detractors have been fond of assuming that his subsequent elevation was due to the peculiar part which he played in the delicate investigation. But the inquiry into the conduct of the Princess of Wales had not, at the beginning of 1806, been even commenced. Yet, at that time, Canning and Rose were both prepared to accept Perceval as their leader. It is obvious, therefore, that the accidental position, in which his defence of the Princess subsequently placed him, cannot be regarded as the sole or chief cause of his promotion in the following year.

The Session of 1806 was not remarkable. The Grenville-Fox Administration was consistently supported by large majorities. The Opposition, disunited and distrustful, hardly attempted to interfere seriously with their proposals. Perceval was a constant speaker. The Parliamentary History records

[1] Rose, ii. 227, 246, 249, 262, 264.

no less than sixty-nine occasions on which he addressed the House. But it would be both tedious and useless to dilate on these in detail in this Memoir. The more important of them were those in which he criticised Windham's proposals for army reform. This able but eccentric politician, who had been the chief opponent to Pitt's military plans, and was now responsible for our war policy, had already avowed a strong preference for limited service, and an unusual distaste for the volunteer movement. 'The right honourable gentleman,' Perceval once amused the House by saying, 'had taken all his ideas of the Volunteers from the corps which he himself commanded—the Felbrig Volunteers. That corps in itself united everything which the right honourable gentleman had been so accustomed to condemn. Of all the corps that subsisted in the county of Norfolk, this was the only one in which the commander had taken the title of colonel. The composition of the corps was also singular. There were seventy-three privates, but no staff, no field-officer, no captain, no subalterns, no drummer; and only two serjeants. The right honourable gentlemen seemed to wish to exemplify in his own corps all the imperfections which he complained of in the Volunteer system. If, at any time, he saw in Hyde Park, or elsewhere, such an appearance of discipline, as staggered his opinion, he immediately comforted himself with the recollection of his own corps in

the country, and of their indiscipline and want of subordination.'[1]

Early in March, the Secretary-at-War brought in estimates for the army for two months,[2] with the avowed object of giving Windham time to mature his plans. The latter, a month later, brought forward his great scheme. Though his speech was founded on the assumption, which the victories of Germany have proved to be inaccurate, that 'an army must be a class of men set apart from the general class of the community,' it is impossible to deny its great merits. The injurious effects of the high bounties which the Additional Services Act had indirectly occasioned, the encouragement which had thus been given to desertion, the consequent necessity for some reform, the wisdom of relying on voluntary enrolment, the inequalities and injustice of a militia ballot, the preference of limited service to enlistment for life, are established with remarkable clearness. But his proposals were less satisfactory. Though there can now be little question that short service in the army is preferable to long enlistments, there was, to say the least, great doubt whether the period of a terrible war was the proper moment to make the change. Though the volunteer force had unquestionably imposed considerable expenses on the country, it was obviously undesirable to select a time of war for

[1] Hansard, vi. 21.

[2] Additional estimates for another month were subsequently proposed on the 8th May.—Ibid. ii. 62.

depreciating the usefulness of the movement. Yet Windham deliberately determined to substitute short for life enlistments in 1806; to starve the volunteers by reducing their estimate; and to attempt to substitute for them what was incorrectly termed a levy *en masse;* in other words, to train a specified proportion of the population selected by lot—'a term which I prefer to the odious one of ballot'—to military exercises.

The Opposition met the proposal, in the first instance, by moving for any reports which the Government had received from military officers on the feasibility of short enlistments, and for returns of the cost which the volunteer movement had involved. Perceval supported the first of these motions in a short speech. He moved the second of them himself.[1] More active opposition soon became necessary. On the 17th April, six weeks after his great speech, Windham brought in a bill to repeal the Parish Quota Act. On the 30th April the Bill was read a second time without a division; on the 6th May the House went into committee on it; and on the 13th May it passed its third reading. Perceval opposed it on each of these four occasions, insisting strongly on the preference which ought to be given to the Parish Act over the ballot, and inveighing against the folly of repealing one plan before the alternative had been practically introduced. For, though two months had elapsed, Wind-

[1] Hansard, iv. 652, 777, 790, 840.

ham still hesitated to bring in a bill to give effect to his plans.

'A more incompetent Government,' wrote Perceval, 'for the detail of business, I believe, was hardly ever seen. They expose themselves at every turn. We have had two Mutiny Bills for six weeks or two months for the purpose of giving Windham's military plans time to digest themselves. Though it is now eight weeks since he opened the whole of them, and he now declares he has not altered a syllable of them, yet not one of his Bills as yet has he ventured to produce. His plan of military service for the whole army, with the right of the soldier to demand his discharge, is reprobated by almost everybody. The friends of the Government are almost as loud against it as any other; yet they are, I understand, to persevere and drive it down if they can. It is understood that the King, the Prince of Wales, and the royal dukes are all against it, and the perseverance in it seems to be most unaccountable, as one cannot conceive the useful object which is hoped to be obtained through so much unpopularity and ill will.'

The temporary Mutiny Bills were the logical consequence of temporary estimates. The introduction of the Mutiny Act for the year gave Windham, at last, an opportunity for legislation. The limitation of the period of service necessitated an alteration in the oath of the recruit; and the discussion on the merits of the new plan had, consequently, to be taken on an amendment to Schedule A in the Mutiny Act, and on a new clause to give effect to the scheme introduced into the Bill. Perceval, who wound up the debate for the Opposition, 'complained much of the predicament' into which the House was

thrown. 'If the other House of Parliament should exercise a privilege with that clause, which they had been often in the habit of assuming, the inevitable consequence would be that the Bill would be thrown out by this House, the existing Mutiny Bill would expire, and the army of the country be *de facto* disbanded.'

But the most telling part of the speech—Hansard's very imperfect report of which it is possible to supplement from the draft among Perceval's papers—was that in which, under pretext of insisting on what Windham might have done, he dilated on the difference between Fox's policy in opposition and in office. 'For myself, at first and for a little time, having great confidence in the right honourable gentleman's magnanimity and patriotism, I had indulged a hope that he might have met the difficulties and embarrassments of his situation in another manner, and have left behind him all those wild and ruinous ideas which he has now let loose on our military system. His situation would not have been singular amongst his colleagues. It would have been nothing to the changes of opinion which we have witnessed in others. How much better would it have been for him to have followed the example, so well and so successfully set him by the noble lord the Chancellor of the Exchequer and the right honourable gentleman the other Secretary of State (Fox). It must, no doubt, have been unpleasant for them the other day, and particularly

embarrassing for the Secretary of State, to have been the advocates not only for the property-tax, but for an extension of it. But the right honourable gentleman sacrificed any little awkward feeling which he might have had of wounded pride and of blemished consistency, and manfully supported the tax—nay, still more, manfully doubled it—because the exigencies of his country and his duty towards his country required it of him. A similar example, equally praiseworthy and equally imitable, was afforded the other day by the same right honourable gentleman: I mean the opinion, which he so usefully and so distinctly delivered, that, if we could possibly procure a peace, such as the honour of the country could accept, that the security of the country would require of us that we should keep up an army at least as large, if not larger, than that which we have at the present moment. This, no doubt, was in the plainest contradiction to the mistaken policy with which, after the peace of Amiens, that right honourable gentleman recommended that our military establishments should be reduced to the lowest possible scale. Change of circumstances had changed the right honourable gentleman's opinions. It matters not whence his conviction came, or how late, if it be but come in time to rescue the country from the inevitable ruin to which his former opinions would have consigned it.'[1]

[1] Parl. Deb. vii. 479.

The Mutiny Act, notwithstanding the unusual addition to it, passed both Houses. Its passage afforded Windham an opportunity for introducing the rest of his scheme. For this purpose he brought forward two bills: one, known as the Chelsea Hospital Bill, was intended to give the troops a parliamentary security for the higher pension he contemplated for them on their discharge; the other, the Training Act, for training a certain number of persons annually in military exercises. The Opposition seized the opportunity which these measures afforded of renewing the struggle, and Perceval again became the chief exponent of its policy. On the third reading of the first of these measures he delivered a speech which occupies sixteen columns of Hansard,[1] and in which he reviewed in detail the entire policy of the administration. He seems constantly to have spoken in committee on the second of them, though the Government were always able to command sufficient majorities to give effect to their proposals.[2]

Windham's military proposals deserve the first place in any review of the parliamentary history of 1806.[3] Lord H. Petty's finance afforded another

[1] Parl. Hist. vii. 622. [2] Ibid. 825, 845, 854.

[3] Windham's other legislative proposals consisted of a Militia Ballot Suspension Bill, intended to give his levy *en masse* a fair trial; a Volunteer Officers' Rank Bill, to prevent field officers of volunteers taking command of regular troops; and a Militia Officers' Bill to extend the additional Allowance to Line Officers to

opportunity for the Opposition. Lord H. Petty introduced the Budget on the 28th March before, in other words, the Army Estimates had even been proposed; and Perceval seems at once to have adverted strongly to the impropriety of voting ways and means before the supplies had been agreed on.[1] The war had naturally created a large deficit, which it was proposed to meet by raising the property-duty—or income-tax, as we should call it—from $6\frac{1}{2}$ to 10 per cent; by a tax of 40*s.* a-ton, which it was hoped would produce 500,000*l.*, on pig-iron; and a duty only estimated to yield 66,000*l.* on appraisements. The Budget was universally unpopular; the two last proposals admittedly unsound; and the Opposition were accordingly afforded a new opportunity for attack. But delay in voting the supplies might have been disastrous to the country; and Perceval abstained from opposing the two proposals he could not support. To the increase in the property-duty he lent a warm advocacy, suggesting, however, that the Government should exempt the smaller incomes from the operation of the tax. Wilberforce, who acknowledged that he had listened 'with great pleasure to the sentiments of his honourable and learned friend,' heartily seconded him; and, though

Subalterns of Militia. The part that Perceval took in the debates on these measures will be found in Hansard's 'Debates,' vii. 1020, 1037, 1043, 1141, and 1184.

[1] Parl. Hist. vi. 581.

Lord H. Petty declined at the moment to give way, he adopted, later in the session, Perceval's suggestion; and thus admitted the admirable principle that the holders of small incomes are entitled to some indulgence from any government.[1]

It can hardly be necessary to allude in detail, in this memoir, to the other events of the session of 1806. Though the share which Perceval took in them was a prominent one, there would be no interest in reviewing the history of the parliamentary year. There were two other matters, however, in which Perceval was engaged, which require more attention. The first was the famous case of Miss Seymour's guardianship; the second, the still more notorious investigation into the conduct of the Princess of Wales. Miss Seymour, the daughter of Lord Hugh Seymour, had lost both her parents at a very early age. When they had left England—the one in command of his ship, the other for the sake of her declining health—they had temporarily entrusted the care of their daughter to Mrs. Fitzherbert. There were clear reasons for desiring, on the parents' death, to remove the daughter from that lady's care. Mrs. Fitzherbert was, in the first place, a Roman Catholic, and her religion would have constituted an objection in the opinion of most persons. Her peculiar connexion with the Prince of Wales made her, on other grounds, an obviously

[1] Parl. Hist. vii. 53 and 482.

undesirable guardian for a young girl. The Master in Chancery appointed two near relatives, Lord Euston and Lord Henry Seymour, joint guardians; and Lord Eldon, as Chancellor, affirmed the Master's decision. The Prince, who took an extraordinary interest in the case, determined on carrying it to the House of Lords, proposing to substitute Lord and Lady Hertford—who, he knew, would not move the child from Mrs. Fitzherbert—for Lord Euston and Lord Henry Seymour. The case was argued before their lordships in June, and led to a 'public and indefatigable' canvass among the peers for their votes; which even Romilly, who was retained for the Prince, reprobates strongly in his diary.[1] Perceval, who was engaged on the other side, took—if we may believe Lord Brougham—the bold and extraordinary course of denying that any guarantee given of payment for the Prince's conduct could be available: first, because there was no reason to believe that he would keep his promise; and second, because, if he did, he was insolvent,—an argument which so enraged the Prince that, according to the same authority, 'His Royal Highness exclaimed to Sir Samuel Romilly, with most offensive personal abuse, and an oath which cannot be recited, that he felt as if he could jump on him (Perceval) and stamp out his life with his feet.'[2] It is due to Romilly to say that, if His Royal Highness did really use any

[1] Romilly, ii. 153. [2] 'Statesmen,' ii. 63.

such expression, he had the good taste to omit any allusion to it in his diary. The story, therefore, such as it is, must rest on Lord Brougham's second-hand authority.

His Royal Highness's distrust of Perceval was in all probability at this moment the greater from the circumstance that the latter was known to be the Princess's warmest advocate. In the autumn of 1805, Sir John and Lady Douglas had preferred their famous charges against the conduct of the Princess of Wales; and, on the 29th May 1806, the King had issued a commission to 'four Lords,' the Chancellor, Lord Erskine; the Secretary of State, Lord Spencer; the First Lord of the Treasury, Lord Grenville; and the Lord Chief Justice of the King's Bench, Lord Ellenborough; 'to inquire into the truth of the same.' Romilly was the chief adviser on the one side; Perceval on the other.

'I attended,' wrote the former on the 7th June, 'at Lord Grenville's from between one and two o'clock in the day till half-past eleven at night. The whole of our time, with a short interval for dinner, was occupied in examining witnesses. The four lords of the Council had granted an order to bring before them six of the Princess's most confidential servants from her house at Blackheath to be examined. . . . In addition to the servants, Sophia Austin was examined. The result of the examination was such as left a perfect conviction on my mind, and I believe on the minds of the four lords, that the boy in question is the son of Sophia Austin; that he was born in Brownlow Street Hospital on the 11th July, 1802; and was taken by the Princess into her house on the 15th of November in the same year. The

evidence of all the servants as to the general conduct of the Princess was very favourable to Her Royal Highness, and Lady Douglas' account was contradicted in many important particulars.'[1]

The four lords reported on the 14th July. As Romilly had anticipated, they found that there was 'no foundation whatever' for the grave charge which had been preferred against Her Royal Highness. But they added that they were unable to form a similarly favourable opinion in respect to 'the other circumstances,' 'particularly those stated to have passed between Her Royal Highness and Captain Manby,' into which they had been commanded to inquire. In plain English, therefore, the Commissioners acquitted the Princess of the grave charge of having been delivered of a child; but judged her guilty of grossly indelicate conduct.

This Report, which was signed on the 14th July, was only delivered to the Princess on the 11th of the following month by Lord Erskine's footman. The Princess immediately acknowledged its receipt to the King; and, on the 17th, in a peculiarly able letter, evidently composed by Perceval, requested that the Report might be authenticated by some competent person; and some additional information supplied to her. Her Royal Highness's request was almost immediately complied with; the Chancellor apologised for having pre-

[1] Romilly, ii. 150.

viously sent his footman, and transmitted the additional information through the principal officer in attendance upon him. And on the 2nd October—or little more than a month afterwards—the Princess addressed her famous letter to the King. If we remember that the letter occupies 155 octavo pages of 'the book,' we shall not be surprised at the slight delay that occurred in its transmission.

This famous letter, which was wholly the work of Perceval, is familiar only to the deeper students of the history of the country. But its ability has been recognised by every one who has had occasion to refer to it. The opinion of persons living at the time of its merit may be gathered from one or two extracts. Romilly, the leading counsel on the other side, who imagined, in the first instance, that it was drawn up by Plumer, wrote on the 27th November,—

'I received from Lord Grenville a copy of the letter, which the Princess of Wales has addressed to the King, as an answer to the report of the four lords of the Privy Council, and a justification of her conduct . . . It is a long, elaborate, and artificial pleading of an advocate. . . . As a pleading, however, it is conducted with great art and ability. It is manifestly intended to be at some time or other published; and is likely, when published, to make a strong impression in favour of the Princess.'[1] 'The answer is finished,' writes Sir Vicary Gibbs to Mr. Rose, 'Perceval has done it most incomparably.'[2]

[1] Romilly, ii. 170, 171. [2] Rose, Diary, ii. 298.

Two charges have, however, been preferred against Perceval in connexion with this letter. It has, in the first place, been asserted that he caused a large number of copies of 'the book' to be privately printed, and suppressed them after the return of the Tories to office as inconvenient. It has, in the next place, been almost as positively affirmed that he used the book as his own stepping-stone to power. The first of these charges is, in one sense, well founded. There can be no doubt that the Princess's defenders contemplated, at one time, the publication of her letter to the King; there can be equally no doubt that an issue of the book, subsequently published surreptitiously, was suppressed by Perceval's direction.[1] But, in the first place, there is no proof whatever that 'the book' was originally printed under Perceval's supervision. The ordinary story, that it was printed at a private press in Lord Eldon's house, was subsequently denied, and, even Lord Brougham admits, has never been established by any decisive proofs.[2] But, even if this report were true, the charge would still be an idle one. For the circumstances under which the book was suppressed were entirely different from those under which its publication had been contemplated. When

[1] In 1809 the Court of Chancery granted an injunction to restrain the publication of the book.—Attorney-General *v.* Blagden, Romilly, ii. 171.

[2] 'Statesmen,' ii. 63.

it was contemplated, the Princess was vainly demanding that she should be received at court, and treated in a manner suitable to her position.

'There was,' as Perceval himself wrote to Rose on the 3rd of October,[1] 'so much disposition to be hostile to her manifested in the whole course of the proceedings, that, looking forward to a new reign, there could be no possible security for her being permitted to hold her rank and station in this country, but from the existence of a strong sentiment in her favour throughout the kingdom; and therefore her letter to the King should be so prepared that, if published, it would have the effect of encouraging that sentiment.'

But, when the publication was suppressed, the letter had already accomplished its purpose: the Princess had been received by the King. There was no longer any occasion to publish a letter which it was obviously on public grounds desirable to suppress. 'Lord Eldon and Mr. Perceval,'[2] writes Twiss, in his life of the former, 'had always felt that the publication of matter so objectionable in its nature could have been justified only by extreme exigency.' The Opposition revenged itself by 'the imputation that their advocacy of the Princess's cause had been a mere hollow manœuvre of party.'

If, however, the first charge against Perceval—that he sanctioned the printing of a book which ought never to have been published, and subsequently took steps to suppress it because its publication was inconvenient to himself—falls through,

[1] Rose's Memoirs, ii. 301. [2] Ibid. 128.

what shall be said of the second, that he used the book as his own stepping-stone to power? So vague and unfounded a charge was, perhaps, never preferred against any other statesman. George the Third, in 1806, was an old man, whose life was apparently fast drawing to a close; and who had already been on two occasions the victim of mental derangement. As a mere question of political expediency, the favour of the Prince of Wales was of more importance to a rising statesman than that of the King; and yet Perceval deliberately went out of his way to place his reconciliation with the Prince beyond the bounds of probability. So far, too, from his using the position which the book had secured him to aid him in his subsequent career, his strong desire, both at this time, and in 1807, was to stick to his own profession and reject the temptation of political advancement. We shall have occasion to see that his subsequent promotion was thrust on him against his will. It is idle, under such circumstances, to pretend that the promotion would never have been gained if it had not been for the influence of 'the book.'

Another charge, indeed, connected with the preceding one, has been preferred against Perceval. Lord Brougham insinuates in his 'Statesmen,' that Perceval and Lord Eldon were the Princess's friends, only so long as her friendship was useful to them; and that they deserted her when their reconciliation with the Prince made it inconvenient. The best an-

swer that can be given to this charge by Lord Brougham, the Historian, consists in an extract from a speech by Mr. Brougham, the Counsel. 'Mr. Pitt was one of the Princess's earliest defenders and friends in this country. He died in 1806, and, but a few weeks after, the first inquiry into the conduct of Her Royal Highness began. He left her a legacy to Mr. Perceval, her firm, dauntless, and most able advocate. And no sooner had the hand of an assassin laid Mr. Perceval low, than she felt the calamity of his death, in the renewal of the attacks which his gallantry, his skill, and his *invariable constancy* had discomfited.' What becomes of the charge in the History after this eloquent tribute to the Minister's constancy in the Speech?[1]

The letter of the Princess of Wales to the King was dated on the 2nd October. Nineteen days before Fox had died. He had been taken ill on the 1st of the preceding April; and the inevitable termination had long been foreseen. Lord Grenville naturally desired to seize the opportunity for strengthening his tottering administration; and, perhaps as naturally, turned to one of the more prominent members of Addington's administration. In the previous June or July, while Fox was still alive, his Lordship had applied unsuccessfully to Canning.[2] Fox's death suggested a similar application to Perceval; and Lord Ellenborough[3] was selected as the most fitting

[1] Brougham's Speeches, i. 110.

[2] See the latter's letter to Rose, ii. 311. [3] Ibid. 302, 303.

channel through whom it could be made. The account, which Perceval wrote of the offer to Rose, will be found in the latter's diary. In nearly similar language he wrote to Ryder—

'You have probably heard in the course of the summer of overtures to Canning, which through him extended, with strong expressions of general good will, to Pitt's friends, to a more direct tender of office to me, to Sir W. Grant, and, I rather believe, to Rose; but I am not quite sure of the last. These, however, Canning thought so unsatisfactory that nothing came of them.

'After this Lord Ellenborough came to me, and told me as a friend of mine it had occurred to him that, now Fox was dead, I might no longer have any objection to join the administration. I stopped him immediately by saying that, if his object was addressed to me only individually, it was so impossible that I could listen to it, that it was more cordial and fair by him to stop him, before he had explained himself. . . . He said that, if that was my feeling and determination, it was not necessary to go any further; and there the matter rested without my knowing what he had conceived it was possible might have tempted me; and indeed without my knowing whether he made the communication with Lord Grenville's privity or not.'

Lord Grenville therefore failed in his application to Perceval, just as he had previously failed in his addresses to Canning. He was more successful in his determination to dissolve Parliament. Rumours of a dissolution had been rife throughout the Session. But the majorities by which the Ministry was nearly uniformly supported afforded them no just excuse for hastening the end of the Parliament. The conviction, however, that they could obtain a substantial ad-

vantage by a general election overcame their temporary scruples, and Parliament was dissolved on the 24th October. Perceval and Bouverie were quietly re-elected for Northampton, a slight show of opposition towards the latter coming to nothing. Lord Northampton, we may suppose, as usual, paid the expenses of the election, and Perceval had consequently to decline a similar offer from Lord Arden. The quiet which characterised the Northampton election was not visible in other places. The Ministry gained considerably by the result. Rose wrote rather enigmatically to Perceval :—

'I went over the returns to the new Parliament with Bourne a few days ago, and we made the Administration gain 29 and the Opposition 22 in England and Wales; with 5 hopeful for us, and 14 doubtful; of which 19 all but 3 were against us in the last Parliament.'

Perceval's account of the result to Ryder is less specific, but more interesting.

'Between ourselves the dissolution of Parliament, a great blow no doubt to our strength and our means of public service, has yet, I think, flung greater dismay into our ranks than is in any degree reasonable. It seems to me to be quite clear that those who wish to preserve a retreat to Lord Grenville from his new friends, or a retreat to the King from both, must be desirous that we should keep together; and that individuals going to Lord Grenville with tenders of their services will go unthanked and unthought of. One means of preserving our strength is by keeping a good countenance, and showing, if not by voting, for that probably except upon some extraordinary occasions would not be politic, yet by the number of friends who make their appearance together that we are still together.

'Reports of dissension and disagreement among the friends of Government are to be received with great caution, no doubt. But they say the elections have given as much cause of difference among themselves as they unquestionably have to others. Lord Grenville has been unwise enough personally (by letter) to interfere against Lord Eliot at Liskeard. . . . Sir W. Pulteney they opposed at Weymouth. The Duke of Northumberland is very angry about Westminster. . . . The Foxites had prevailed upon Lord Duncannon to stand for Middlesex, but, while they were engaging him, Lord Grenville had engaged with Mellish. Lord Grenville could not give up Mellish, but it was thought that a seat should be found for Lord Duncannon somewhere else. A borough in Ireland was found, but in the mean time Tierney was defeated in the borough, and his Parliamentary services are thought of more importance than Mellish's, and therefore the Irish borough is transferred to him. . . . All these things seem to promise no great improvement in the good humour and cordiality of their strength, however much numerically it may have been improved.'

The new Parliament met on the 15th December. There had been rumours in Westminster Hall that Abbot's re-election to the chair was to be opposed; but the report was either unfounded, or the Ministry hesitated to carry out their earlier intentions, and the Speaker was re-elected. Four days later the Lords Commissioners read His Majesty's speech. 'Canning moved a long amendment' to the address. Lord Howick answered in a powerful and eloquent speech;[1] after which Lord Castlereagh was very indifferently heard. Perceval did not speak on the

[1] Colchester, ii. 84.

occasion; but on the following evening, on the report being brought up, he warmly defended his own friends from the charge which Lord Howick had brought against them of 'little thwarting and harassing opposition;' and ridiculed the contention that the late election had afforded any proof that the Ministry was popular.[1] Even the hon. member for Westminster had been completely beaten by Mr. Paull, 'until the Government coursers were harnessed to the chair.' The expression, four days afterwards, drew out Sheridan:—'The learned gentleman had talked a great deal of his want of popularity, and had observed with a degree of wit, correspondent with its candour, that it was not till the Government horses had been yoked to his car that he had been brought in.' 'The expression,' explained Perceval, amidst the laughter of the House, 'the wit of which the right hon. gentleman had described as equal to its candour, arose from the accident of his having seen the right hon. gentleman parading the streets in a sort of triumphal car decorated with laurels.'[2]

These, however, were only the preliminary skirmishes of the Session. The first great party debate took place, at the beginning of the new year, on the negotiations which Fox had conducted with France. Soon after the formation of the Talents Administration, a Frenchman, calling himself Guillet de la Guerillière, waited on Fox, and disclosed to him a

[1] Hansard, viii. 83. [2] Ibid. 234.

plan for the assassination of Napoleon. Fox thought it his 'duty as an honest man' to communicate immediately with Talleyrand, and Talleyrand replied that the Emperor's first words on reading the communication were, 'I recognise here the principles of honour and virtue by which Mr. Fox has ever been actuated.' Talleyrand enclosed in the reply, which was dated the 5th March, an extract from the French Emperor's speech, in which he professed to desire peace on the basis of the Treaty of Amiens. Fox rejoined, professing his true anxiety for peace, but insisting that 'England cannot neglect the interests of any of her allies,' especially of Russia; and Talleyrand thereupon urged the appointment of a suitable plenipotentiary. A long correspondence ensued between the two ministers. Lord Yarmouth, who had been detained by Napoleon at Verdun, was accredited to the French Emperor. Lord Lauderdale was subsequently sent to Paris to assist him; but the negotiation, after being protracted for seven months, was ultimately broken off. The King, in his declaration, accused the French Government of departing from their original pledges. M. Talleyrand, in three important matters which will be seen below, disputed the accuracy of the declaration. Perceval, immediately after reading the correspondence, saw the force of Talleyrand's contradiction. 'I certainly do think,' he wrote to Lord Arden, on the 30th December, 'that in all three of the assertions in which Talleyrand gives the lie to the

declaration, the truth is not with the declaration.' The letter is an important one; but its arguments are so closely repeated in the subsequent speech that they need not be quoted here.

'House of Commons,' wrote Abbot in his diary, on the 5th January, 'debate on the Negotiation papers till five in the morning. Lord Howick moved an address. Lord Yarmouth, Whitbread, Canning, Lord H. Petty, Perceval, and others spoke, and Lord Howick closed the debate. No division, but an amendment moved by Mr. Whitbread for treating with France was rejected.'[1] The reporters were tired out long before the close, and Perceval, who was the last speaker on his own side, was consequently very imperfectly reported. This circumstance is of less importance, however, because the greater part of the speech exists in Perceval's own handwriting, evidently prepared by him, after its delivery in the House, for publication. 'Challenged as I have been,' he began, 'to make good the charge that from the beginning to the end of the negotiation His Majesty's ministers have been the mere dupes of France, I would beg leave, Sir, to remind the House that the negotiation lasted for seven months, and that at the end of those seven months these able negotiators were just as far advanced, and not one whit further, than they were at the beginning. I would ask the noble Lord whether he would pretend to say that the French Government

[1] Colchester, ii. 89.

were ever once sincere in their professions to wish for peace during the whole of this period? I am aware that I cannot compel an answer from the noble lord. The only answer, which his honourable regard for truth would enable him to give,' would be 'too obviously conclusive to make it probable that he would volunteer to give it. But fortunately, Sir, the answer has already been practically given. Ministers have themselves advised His Majesty to say that "negotiations for peace appear to be entered into for no other object than that of deluding the neighbouring powers while France is herself preparing, arraying, and executing her unremitted projects of encroachment and aggression." Can the noble Lord, after this, suppose or contend that I have any difficulty in proving that they have been dupes to the artifices of France in this negotiation?' Perceval then went on to notice the contradiction which Talleyrand had brought to the truth of the declaration. Talleyrand had given the declaration the lie on three points:—'1. It is false that the French Government had made any of those overtures which the negotiation supposes. 2. It is false that the French Government had adopted the pretended basis stated in the declaration, or that His Britannic Majesty reserved to himself, before entering into the negotiation, the principle that he could not treat except in concert with his allies. 3. It is not true that the Cabinet of the Tuileries found the powers of Lord Yarmouth insufficient.' Perceval

compared these extracts from Talleyrand with the following passages in the declaration to which they had reference:—'The negotiation *originated* in an offer made by the French Government of treating for peace on the basis of actual possession. . . . Such a proposal appeared to His Majesty to afford a just foundation for negotiations; it was therefore accepted, with this reserve—that the negotiation should be conducted by His Majesty in concert with his allies. . . . At the same time a difficulty was started on account of the want of full powers in the person entrusted by His Majesty for opening a regular negotiation.' 'If a jury,' Perceval went on, 'were empannelled to try the truth of these issues on the evidence contained in the papers and documents laid before Parliament, all these issues must be determined against this Government and in favour of France.' The last point was of comparatively slight importance. 'With respect to the second point, upon which the two Governments are at issue, the language of the declaration is equivocal. If it means only to assert that His Majesty entered into the negotiation with the reserve of conducting it in concert with his allies, the assertion is borne out completely by the document. But if it means to assert, which I certainly conceive to be the case, that the right of treating in concert with his allies was expressly reserved and communicated to the French Government, then I must contend that these papers do not prove it. As far as appears by Lord

Yarmouth's despatch to Mr. Fox, in which he gives the account of his first communication with M. Talleyrand, no mention appears to have been made of it upon this subject; and Mr. Fox himself, in his reply, remarks "that it does not appear that there has been any conversation between your Lordship and M. Talleyrand on the point which was mentioned to you, and which appears to be of considerable importance—I mean the future admission of Russia and Sweden to become parties in a definitive treaty? None of the subsequent despatches of Lord Yarmouth prove that any such communication was made to M. Talleyrand; and as His Majesty's ministers, when they produced these documents, must have known that this fact was peremptorily denied by the French Government, they ought, if it had been possible for them to do so, to have produced the proof which would have maintained its truth.' Upon the remaining point, 'the first offer did unquestionably, I admit, come from France. But that is not the question at issue. The issue is not upon the question who made the first offer, but whether that offer proposed the basis of actual possession. The offer originated in M. Talleyrand's letter of the 5th March, which inclosed a copy of the Emperor's speech; and the passage referred to in the speech is, "I desire peace with England. On my part, I shall never delay it for a moment. I shall always be ready to conclude it on the basis of the Treaty of Amiens." There is no trace in this of

the *uti possidetis*, and indeed it seems fairly to be admitted that there is none. The first passage in the correspondence which is noticed as having that bearing is the letter of M. Talleyrand of the 1st April. There are three passages in that letter which are adduced to prove it. The first, "The Emperor desires nothing that England possesses." The second, "We only ask for equality." The third, "The Emperor is ready to make every concession which, from the extent of your naval forces and of your preponderance, you may desire to obtain." Can it be contended from any one of these passages that there is a tender of the basis of actual possession or of any other basis whatever?'[1]

It seemed necessary to enter in some detail into the arguments of the speech; because historians have uniformly founded their account of the transactions on the declaration of the English Ministry; and have apparently no notion that the accuracy of this document is open to serious question. A still more important debate took place immedately afterwards. Napoleon, in the previous autumn, had promulgated his famous Continental system, under which he had endeavoured to exclude British commerce from the entire Continent. The Talents Administration retaliated on the 7th of January with 'an order in Council,' directing that 'no vessel shall be permitted to trade from one port to another, both of which ports shall belong to or be

[1] Hansard, vii. 414.

in possession of France or her allies.' The order was published in due course in the *Gazette;* and Perceval gave notice of his intention to move that it should be laid on the table. Immediately before the motion came on, Lord Howick, the Foreign Minister, gave him private notice that he should object to the production of the order. It could only be desired for the sake of instituting some undefined proceeding; and, as the Ministry would necessarily have to resist the latter, they intended to refuse compliance with the motion.[1] Perceval, under these circumstances, postponed his motion for a time. But, on the 4th of February, he moved his promised address. It was an unparliamentary and unconstitutional doctrine, he argued, that no papers should be offered to the House unless it should be shown that no proceeding was to be founded on them, but such as Government would countenance. Then, after dilating for some time on this point, he went on to contend that the order would in reality be ineffectual. It was not the coasting trade of France, but her trade with the French and Spanish colonies with which we should endeavour to interfere. The coasting trade could be carried on by land carriage. Our cruisers might have practically intercepted at sea the produce of foreign colonies.[2] Lord Howick, however, stood firm; the supporters of the Ministry mustered in full force; and Perceval's address was negatived without a division.

[1] Hansard, viii. 451. [2] Ibid. 620 and 655.

There are two reasons for referring to this debate. In the first place, it affords the first indication of the policy, which Perceval subsequently embodied in his famous orders in Council; and which will require more detailed notice in the subsequent portions of this memoir. In the next place, it deserves recollection, because, whatever may be thought of Perceval's policy, there can be very little question, that, on the point immediately at issue, he was in the right. No minister is entitled to refuse Parliament information, which may be published without injury to the State. The publication of the order in the *Gazette* decisively proved that no injurious effects could result from its still wider circulation. It was therefore the duty of the Minister to lay it on the table of the House; and thus facilitate the very discussion, which his refusal to produce it rendered difficult and irregular.

A fortnight after this debate, the Estimates for the Irish Miscellaneous Services came on for discussion. Among the minor grants which the Ministry proposed was one of 13,000*l.* for the Roman Catholic College at Maynooth. The sum exceeded by 5000*l.* that which the House had been previously in the habit of voting for the purpose; and Perceval at once rose to take exception to the increase. The vote was agreed to; but a fortnight afterwards, on the report,[1] Perceval again rose to oppose the vote. The grounds on which his opposition was founded

[1] Hansard, viii. 937.

were twofold. In the first place, it was not the grant itself, but the growing nature of the demand, that excited his alarm. In the next place, the institution of Maynooth interfered with the prosperity of the University of Dublin. The truer policy would, he thought, have been to have promoted the joint education of Roman Catholics and Protestants at the same institution. The Roman Catholics, indeed, by sending their sons to Dublin, had shown that they were themselves conscious of the advantages this collision of opinion would produce. By a wise relaxation of their rules, the University of Dublin had encouraged the admission of Roman Catholic students; and, but for the foundation of Maynooth, the Irish might, in consequence, have had the advantage of a common university for the education of all Irishmen.

Most persons will think at the present day that Perceval was wrong in opposing a moderate increase to the Maynooth grant. But, whatever opinion they may form in this respect, it is only fair to remember the grounds on which his opposition was founded. Very different was the account of it which 'Peter Plymley' gave to his brother 'Abraham:'—

'When it was proposed,' he writes, 'to raise this grant from 8000*l.* to 13,000*l.*, its present amount, this sum was objected to by that most indulgent of Christians, Mr. Spencer Perceval, as enormous; he himself having secured for his own eating and drinking, and the eating and drinking of the Master and Miss Percevals, the reversionary sum of

21,000*l.* a-year of the public money; and having just failed in a desperate and rapacious attempt to secure to himself for life the revenues of the Duchy of Lancaster.'[1]

And again:—

'In the second year of that Union four million Catholics are forced to squabble with such a man as Mr. Spencer Perceval for 5000*l.* with which to educate their children in their own mode of worship; he, the same Mr. Spencer, having secured to his Protestant self a reversionary sum of the public money amounting to four times that sum.'

No one knew better than 'Peter Plymley' that this style of writing was telling. No one, at the same time, knew better that it was neither logical nor accurate. The system of granting places in reversion was, no doubt, mischievous in the extreme. The Registrar of the Court of Admiralty was unquestionably overpaid with his 12,000*l.*, not 21,000*l.* a-year. But the fact that Mr. Perceval's brother was Registrar of the Court of Admiralty, and that Perceval himself, under a certain contingency which never occurred, was entitled to succeed to the office, had obviously nothing whatever to do with the propriety of increasing the Maynooth grant. 'Peter Plymley' must have known too that, when Perceval opposed the Maynooth grant, on the 20th of February, the Talents Administration was still in office; Perceval was still at the bar; and the offer of the Duchy of Lancaster for life had not been made to him.

[1] Sidney Smith's Works, ed. 1840, iii. 398.

Before, indeed, either of these discussions had taken place, it was tolerably well known that a great ministerial crisis was imminent. On the 7th of February the Duke of Bedford, the Lord Lieutenant of Ireland, sent a remarkable despatch to the Government, in which he advocated the admission of Roman Catholics into the army; and the employment of Catholic gentlemen as sheriffs. The Cabinet considered the despatch at a meeting on the 9th, and agreed to recommend compliance with the first, and a refusal of the second of these requests. Lord Spencer was entrusted by his colleagues with the task of laying the decision of the Cabinet before the King. His Majesty expressed, in reply, on the 10th, 'the most serious concern' that the proposal should have been made to him. The Cabinet met immediately on the receipt of this reply, and appear to have sat late into the night, for Lord Grenville's next letter to the King is dated 1 A.M. on the morning of the 11th. The letter, and the Cabinet minute enclosed in it, were both of them very lengthy apologies for the course the Ministry were pursuing; and in which they implied their determination to persevere. The Cabinet, they write,—

'Had persuaded themselves that in the clauses to be proposed for the Mutiny Bill your Majesty would be of opinion that they were only fulfilling the engagements which had been formerly entered into under your Majesty's authority, and carrying into effect a principle which has already received the fullest and most formal sanction by the Act

passed in the Irish Parliament in the 32nd year of your Majesty's reign. That Act enabled your Majesty's Roman Catholic subjects in Ireland to hold commissions in your Majesty's army, with no other restriction than is there pointed out; and, if a similar provision be refused with respect to this part of the United Kingdom, it appears obvious that the grace conferred by your Majesty on that large body of your people must be rendered wholly illusory, and an appearance given of a conduct on the part of your Majesty's Government not consistent with your Majesty's uniform and paternal beneficence towards your people, or with that openness and good faith with which your Majesty wishes that your servants should conduct themselves.'

With this explanation before him the King wrote on the following day that—

'He will not, under the circumstances, and adverting particularly to what took place in 1793, prevent his ministers from submitting for the consideration of his Parliament the propriety of inserting the proposed clause in the Mutiny Bill. Whilst, however, the King so far reluctantly concedes, he considers it necessary to say that he cannot go one step further, and he trusts that this proof of his forbearance will secure him from being at a future period distressed by any further proposal connected with the question.'[1]

With this permission before him Lord Howick, on the 20th February, postponed the second reading of the Mutiny Bill. 'It was now proposed,' he explained, as a reason for the temporary postponement, 'to make general a clause in the Irish Mutiny

[1] I have abstracted this account from the copies of the original documents which are among the Perceval papers: an abstract of them will be found in Rose, ii. 321.

Bill, allowing Catholics to hold a certain rank in the army. It was also proposed that all Catholics in the army should be allowed the free exercise of their religion. This was, no doubt, the practice already; but it was understood that it would afford much more satisfaction if it were made the law.[1] The adjournment Lord Howick seemed then to think necessary was for less than a fortnight; but, when that date was reached, the Ministry had changed its mind. It was deemed more proper to bring in a separate bill for the purpose; and Lord Howick intimated that he should move for leave to bring it in on the morrow.[2] On the morrow, however, it was found, as indeed had been anticipated, that the Ministry proposed to do much more than follow the example of the Act of 1793. The latter had only applied to the army; the Cabinet proposed to extend it to the navy. The Act of 1793 had precluded Catholics from holding the appointments of commander-in-chief, master-general of the ordnance, and general on the staff; and the Ministry proposed to repeal this distinction. It will perhaps always be a matter of some doubt how far the King acquiesced in this alteration. It seems certain that Lord Howick submitted the proposed measure to the King, and that he understood His Majesty to consent to its introduction. It seems equally certain that the King imagined that his Ministers were only asking leave to alter their procedure, and were not suggesting

[1] Hansard, viii. 932. [2] Ibid. 1073.

an extension of the principle which he had reluctantly conceded.[1] But, whatever explanation may be ultimately given of this misunderstanding, it will always be marvellous that practical men should have placed themselves in so peculiar a position. Sheridan, naturally annoyed at the probable loss of his own office, 'said upon this occasion that he had known many men knock their heads against a wall, but he had never before heard of any man who *collected the bricks* and *built the very wall* with an intention to *knock out his own brains* against it.'[2] Wilberforce said they were without excuse, 'for they had run upon a rock which was above water.' The Speaker before had warned Lord Howick against the course he was pursuing; and two of the ablest of the cabinet ministers, Lord Sidmouth and Lord Ellenborough, opposed it at every stage.[3]

Notwithstanding, however, these various warnings, the Ministry persevered. Lord Howick had no sooner sat down, on the 5th March, than Perceval rose to state his objections to the measure. Lord Malmesbury tells us that 'with great force and ability he showed the House the radical alterations such a measure would make in our constitution, and the dangerous innovations, with which it would be attended, both in Church and State.'[4] The ablest part of the speech, however, is rather that which is

[1] Rose, ii. 324; Colchester, ii. 99; Perceval MS.
[2] Moore's Sheridan, iii. 349; Colchester, ii. 109 and 110.
[3] Ibid. 95. [4] Diaries, iv. 359.

directed to the necessity for than to the principle of the measure. 'If the grievances which had been stated by the noble lord ever existed in possibility, they had at least never been experienced in practice. There was not an instance of a single individual having been injured or prosecuted in consequence of them. Besides, these grievances, if there were any, had existed not only since the union of Great Britain and Ireland, but since the union of England and Scotland; for there was no difference between the inconvenience sustained by the Catholic of Ireland and the Presbyterian of Scotland. But, setting this aside, he denied, in point of law, that a Catholic who obtained a commission in Ireland was liable to any penalties if called out to exercise his military duties in Great Britain. If this was so, we should have an Act which compelled a man to perform a certain duty, and which yet did not protect him in the execution of that duty which he was called upon to perform. Such an Act was not to be found in the code of British and Irish jurisprudence. Did not the United Parliament, which must be supposed to be as well acquainted with the laws of Ireland as with the laws of Great Britain, pass every year a Mutiny Bill, which enabled the King to require the services of any man in his army in any part of his dominions to which he might think proper to summon him? And was it to be supposed that a man was insecure in doing that, the refusal to do which would subject him to be shot? This was not, therefore,

a substantive grievance, and to forward the proposed measure on such a supposition was a mere pretence.'[1]

A spirited debate ensued. The Ministers for the moment carried their point: leave was given to introduce the bill, and it was brought in and read a first time. But, though the majority of the Cabinet had gained a nominal success, the attention of the King, of their colleagues, and of the country, had been pointedly directed to the measure. In consequence, three most extraordinary steps were taken. The Duke of Portland, the veteran premier of 1783, resolved on a course which his own experience should have taught him was improper: he wrote direct to the King, asking His Majesty to acquaint him with his real wishes on the subject, and to allow him to make them known. He concluded by placing his own services, in the event of a change of Ministry, at His Majesty's disposal. Lord Malmesbury seems to have been the Duke's chief, if not sole, counsellor in this extraordinary proceeding, which, however, had the effect of eliciting from the King the assurance 'that he never had assented, and never would assent, to Lord Howick's Bill.'[2] But, before the Duke of Portland had committed himself to this extraordinary proceeding, one of Lord Grenville's own colleagues, Lord Sidmouth, had taken a scarcely less irregular course. He, too, had sought an interview with the King, stated to His Majesty his own objections to the

[1] Hansard, ix. 9, 20. [2] Malmesbury's Diaries, iv. 359, 363.

measure, acquainted Lord Grenville with his resolution to oppose the bill, and left it to the latter to say whether he should or should not, under such circumstances, remain a member of the Administration.

So far there had been nothing very unusual in Lord Sidmouth's conduct. His subsequent proceedings were more irregular. Two days after his Lordship had offered his resignation to Lord Grenville, though in the interim he had had an amicable interview with the Prime Minister, Sidmouth, through Lord Arden, intimated to Perceval his desire to oppose the Bill. Perceval sent a written answer immediately :—

'It has given me unfeigned pleasure,' he wrote, 'to find that you have taken so distinct and so decided a part in opposition to a measure which in my judgment is as ruinous as any which can be proposed.'

He then went on to express his reasons for thinking that, for the present at any rate, any communication between them should be made in writing; and he added,—

'I cannot close this without suggesting to you what occurs to me, and has occurred to others of my friends. It appears to me of infinite importance to the cause that the King should take care to set himself quite right with his ministers. That, previous to their committing themselves on the second reading of the bill in the House of Commons, he should distinctly tell them (Lord Grenville at least, if not others) in the manner however the most conciliatory

and the least offensive, that, whatever might be their conclusions from anything which had passed from him before, he never would give his consent to the bill. . . . This communication may perhaps bring the ministers—if they are not as mad as I fear they will make the King—to reconsider this absurd measure of theirs, and give the King a chance of retaining them in his counsels. . . . If it has not that effect . . . it will make his case complete with the country. . . . It will show a plain case of an honest mind, feeling sensibly and sincerely, and acting honestly and openly on a great question, upon which his conscience will not enable him to surrender his opinion. . . . Nobody can suggest this line to the King so advantageously as yourself; and as he does not leave town till after the drawing-room to-morrow, perhaps you may have the opportunity of communicating it.'[1]

Perceval wrote the letter from which these extracts have been given on the evening of Wednesday the 11th March. No communication seems to have passed between him and Lord Sidmouth on the following day; but, late on the evening of the Friday, the latter wrote to Lord Arden that 'in consequence of communications which I have received from Bond and Bathurst, I shall be happy to see Perceval either here' (his own house in Gloucester Place) 'or at your Lordship's house at any time that may be most convenient to himself.' But, before Perceval had even received this letter, Lord Howick had postponed the second reading of the obnoxious bill.[2] Lord Sidmouth repented of the course he had taken, and postponed the interview.

[1] Draft of letter in Perceval papers. [2] Hansard, ix. 109.

Perceval very naturally seems to have asked for some explanation; and Lord Sidmouth hurriedly replied, 'I have but a moment to acknowledge your letter, and to assure you that I had no motive whatever for declining the pleasure of seeing you, but an opinion that the meeting would be premature and improper till I was fully apprised of the final determination of the Government.' Lord Sidmouth probably felt, by this time, that he had gone too far. If an interview with Perceval was improper and premature on the Saturday, it was obviously difficult to justify the desire for a meeting on the preceding Wednesday. He seems, therefore, to have expressed a wish that the correspondence should be kept secret. Such, at least, is the natural inference of the concluding letter of the series, which seems, from a passage in Lord Malmesbury's Diary, to have been in reality composed at a meeting of Perceval's friends:[1]—

'I ought to apprise you,' he writes, 'that your desire for secresy, to a certain extent at least, is impossible. I did not feel myself at liberty with regard to my character with my nearest friends to have had this meeting without apprising them, and therefore they must know that for some reason, which you do not communicate, you thought it right to decline it.'

It must by this time have been obvious to the dullest comprehension that, whatever might be the ultimate fate of the Bill, that of the Administration

[1] Malmesbury, iv. 368.

was in peril. But Lord Grenville seems to have still hoped that it was possible, by sacrificing the Bill, to preserve the existence of his Ministry. He collected on Sunday those of his colleagues who were favourable to the proposal, and drew up conjointly with them a minute to the King, stating that 'they judge it on the whole more consistent with their public duty not to press forward any further discussion of the present Bill.' If the minute had stopped here it is possible that the Talents Administration might have survived the crisis. But the Ministers thought it necessary to add that 'it is essential to their own character . . . that the deference, which they have felt it their duty to show on this occasion to the opinions and feelings expressed by your Majesty, should not be understood as restraining them from time to time from proposing, as their duty is, for your Majesty's decision such measures respecting that part of your United Kingdom (Ireland) as the nature of circumstances shall appear to require.'

The consequences might have easily been foreseen. The King regarded the latter part of the minute as a threat, insisted that it left 'the matter in a state most embarrassing and unsatisfactory to him,' and added that 'his mind' could not be at ease unless he 'received a positive assurance which shall effectually relieve him from all future apprehensions.' The Ministry were naturally compelled to remind the King 'of the absolute impossibility of their thus

fettering the free exercise of their judgment."[1] It does not seem to have occurred to them that the assurance would never have been demanded, if it had not been for their own indiscretion in threatening the subsequent revival of the question.

Rose, ii. 325–329.

CHAPTER VII.

THE FIRST YEAR OF THE DUKE'S OF PORTLAND'S MINISTRY.

1807–1808.

Political Rumours—Wilberforce and the Abolition of the Slave Trade—The Portland Administration—Perceval's Professional Emoluments—Appointed Chancellor of the Exchequer—Re-elected for Northampton—Brand's Motion and Ministerial Victory—Dissolution of Parliament—Result of the General Election—Meeting of Parliament—The King's Speech—Tactics of the Opposition—Debates of the Session—Perceval as Leader of the House of Commons—Maynooth Grant—Treaty of Tilsit—Expedition to Copenhagen—Orders in Council—Fiscal Policy—Roman Catholic Claims—The Clergy Residence Bill.

THE town, on the 19th of March, 1807, was alive with rumours. Lord Sidmouth had retired from the Ministry; the Ministry had itself resigned; the Duke of Portland had been sent for; Lord Eldon and Lord Hawkesbury were with the King; Perceval was to be Chancellor of the Exchequer; Charles Yorke had declined office; Lord Chichester wanted the Duchy of Lancaster for life. Such were only a few of the conflicting rumours which the public men of 1807 were gravely recording in their Diaries.

More anxious, yet more undecided than any of them, Wilberforce was listening to the various reports which were being brought to him. On the one hand, he had no love for the Administration that was dying; but, on the other, the chief business of his life was in peril from their fall. The Talents Administration had, much to their credit, done—what Pitt had promised to do a score of times — effectively aided him in his Abolition Bill. Under Lord Grenville's auspices, it had passed through nearly every stage. Was it to be lost, at the last moment, from the change of Government? The King was supposed to be unfavourable to it; the princes of the blood certainly disliked it; many peers on the Tory side were avowedly hostile to it. Was it then to share the fate of other and less useful proposals? In sore perplexity Wilberforce repaired to Perceval, who, it was already announced, would receive a high office, and opened himself to him. Perceval, 'whose attachment to the cause was beyond a doubt,' saw Lord Eldon, and arranged for the passage, under any eventuality, of the Bill. His great project safe, Wilberforce no longer hesitated; he was bound by his general principles to support the new Ministry. 'It is in one grand particular the same question as in 1784,' he writes; 'my then principles would govern my vote, even if I did not think so favourably of their leader, Perceval, as I do.'[1]

[1] Diary, iii. 307.

More than sixty years after Wilberforce made this entry in his diary, Earle published his work on British Premiers.' He necessarily includes in it an account of Perceval, which he must have supposed to be impartial. Yet he gravely adds to the long list of charges which he flings against the Minister that, during his Ministry, Wilberforce received no encouragement in his efforts to abolish slavery. It is now possible to contrast Wilberforce's own account of the matter with Earle's. In subsequent passages of this book it will be necessary to show that the other charges of the latter are equally unfounded.

But to turn from this digression which Earle's statement made necessary. Amidst the confused rumours, which were rife on the 19th of March, one or two things soon became known. The King had sent on that day for Lord Eldon and Lord Hawkesbury; and had desired them to charge the Duke of Portland with the task of forming a new Administration. The circumstance contrasts strangely with the entry, which has already been quoted, in Wilberforce's diary. Wilberforce had based his support of the new Ministry on the identity of the question at issue with that in 1784. Yet, in 1784, Pitt and Grenville were the leaders of the Opposition which was driving the Duke of Portland from power. In 1807, the Duke of Portland was rallying the remnant of Pitt's friends against Lord Grenville. So strangely had the position of political men been altered in the interval.

The Duke of Portland was the grandson of the Dutch Count Bentinck, the favourite of William the Third. Born in 1738, he had, after sitting for a short time in the House of Commons, succeeded, at twenty-four years of age, to the Dukedom. He, at once, associated himself, in accordance with the traditions of his family, with the Whig party; was Lord Chamberlain in the first of Rockingham's Administrations; Lord Lieutenant of Ireland in the second; and, after the short interval of the Shelburne Ministry, was promoted to the post of Prime Minister. His short-lived Administration is famous for the ill-judged India Bill, which Fox proposed—a measure which indirectly led to the exclusion of the Whigs from office for more than twenty years. On the accession of Pitt to power, the Duke of Portland became the acknowledged head of the Whig party. But the French Revolution modified his views. Like Burke, he revolted from the course which Fox pursued; supported Pitt; and was made Secretary of State for the Home Department—an office which he held till Pitt's resignation in 1801. On the formation of Addington's Ministry, he became President of the Council, and continued to act in that capacity till Pitt's death, in 1806, dissolved the Tory Government.

Such had been the career of the veteran statesman, to whom George the Third confided, in the spring of 1807, the difficult task of forming a new Government out of the shattered remains of Pitt's

friends. In some respects he was well qualified for the task. His great rank raised him above the petty jealousies of his associates; his long experience gave him a claim for a position, for which his abilities were hardly equal. Nor, indeed, were his abilities in their full vigour. He had for some years been the victim of a painful and dangerous malady, which naturally indisposed him to vigorous exertion. As a consequence, he became little more than the nominal head of the Ministry. His colleagues conducted the business of their own departments in their own way, and according to their own views. The Duke rarely superintended anything, and still more rarely interfered. Those, who were best acquainted with the interior arrangements of the Ministry, called it advisedly a mere 'government of departments.'

A Ministry, under such circumstances, could not have been anything but weak. Yet, so far as the individual powers of its members were concerned, it was one of the strongest that ever governed the country. No Ministry ever contained in the Cabinet and subordinate offices so many future premiers. In addition to the Duke of Portland, the Cabinet comprised Perceval, the Duke's immediate successor; Lord Liverpool, who succeeded Perceval; and Canning, who succeeded Lord Liverpool. For more than twenty years, then, from the spring of 1807, Great Britain was governed by the members of the Portland Cabinet. From the death of Canning, in 1827, to the death of Palmerston, in the autumn of 1865,

only thirty-eight years elapsed. Nine different persons held the office of First Lord of the Treasury in this period. Two of these—the Duke of Wellington and Lord Palmerston—held subordinate offices in the Portland Administration; and the Ministries of these two men lasted for eleven of the thirty-eight years in question. From the accession, then, of the Duke of Portland, in 1807, to the death of the youngest member of his Ministry, in 1865, a little more than fifty-eight years elapsed. During that interval, England was governed by thirteen different Prime Ministers. Of these thirteen, four were members of the Duke of Portland's Cabinet. Two more were subordinate members of the Administration; and these six men governed England between them for thirty-six years!

The task of forming the new Government was not difficult. Canning, who had married a sister of Lady Titchfield, the Duke's daughter-in-law, received the Foreign Office; Lord Liverpool, the Home Office; Lord Castlereagh, the Colonial Office. 'The main difficulty,' wrote the Speaker on the 21st, 'is how and where to place Perceval, who professes to wish to be only Attorney-General.' It was very easy to see that the wish was not a mere profession, but sincere. In the six years, which had elapsed since the formation of Addington's Ministry, Mrs. Perceval had presented him with five children, in addition to the eight which had been borne to him in the first ten years of their married life. His eldest son was

on the eve of going to Harrow ;[1] his youngest was only a few hours old. Ten others were living. To support and educate so large a family a considerable income was obviously necessary ; and Perceval's professional income was considerable. His emoluments in 1800 had only amounted, as we have already seen, to 1807*l.* His fees, in 1801—the year in which he was made Solicitor-General—rose to 4021*l.* ; in the following year he succeeded Law as Attorney-

[1] Perceval, on his eldest son going to Harrow, addressed to him the following verses. Some of them are particularly neat, and worth keeping on their own account ; while the whole copy deserves preserving from the circumstances of the writer. They were written out for me from memory by my late uncle, Mr. Dudley Perceval, soon after I went to Eton. The seventeenth line is left blank in my copy, as Mr. Perceval was unable to remember it. I may perhaps take this opportunity of acknowledging my gratitude to Mr. Dudley Perceval for the assistance which his labours have afforded me in this work. Mr. Perceval had some intention, at one time, of writing his father's life ; and he actually published, with copious annotations of his own, his father's speech on the Catholic question, and an elaborate reply to Napier's charges against his father's conduct of the war.

'Ille puer studiis Musarum impendere mentem
Quem juvat, et Latiis nectere verba modis,
Adsit, et ingenuas facilis mihi præbeat aures
Dum cadat in proprios syllaba quæque pedes.

Lætus et exhilarans ubi *Dactylus* excitat auram,
Syllaba longa duas urget ubique breves ;
Spondæis, firmans versus vi et pondere, binis
Arctatus longis, nescit habere brevem.

Dactylus *Hexametri* quintum, sextumque requirit
Spondæus simili jure tenere locum
Ast alios, sine lege, locos nunc occupat omnes
Ille vel hic, varium vatis ad arbitrium.

General, and his profits reached 6600*l.* In 1803, he made 7540*l.*; in 1804, 9723*l.* In 1805, his profits declined to 7779*l.*; and his loss of office, in 1806, reduced them to 4558*l.* He could obviously, therefore, rely on a professional income of from 4000*l.* to 5000*l.* a-year; while, in the event of his obtaining the Attorney-Generalship, he might fairly anticipate that this amount would be doubled. A man then in Perceval's position, with a large family, and no

Dividit in geminas partes, divisus et ipse,
Melliflui librans Carmina *Pentametri*,
Spondæus; carmen nam quod tibi dividit ejus
Syllaba prima, notes, altera claudit idem.
. . . . .
Alterutrosque tamen parte priore loces.

Nunc quâ lege modos et quâ componere versus
Edveni, et vati regula certa patet.
Ergo vale, dilecte Puer, carique Parentis
Ingenuo docilis pectore verba fove!
Ergo vale! tibi restat opus, tibi restat agendum,
Respuit invitas Musa colenda preces:
Audit at, auxiliumque dabit, flammamque Poetæ
Spirabit pleno numine, Musa volens;
Si modo des animum studiis, et Apollinis artes
Pieridumque petas ambitiosus opes.

Hæ tibi erunt artes quæ te præcellere rebus
Omnibus ornatum, conspicuumque dabunt;
Hæ tibi erunt et opes, quarum tu munere dives
Despicias auri quidquid in orbe nitet:
Artibus his, opibusque instructus, amicus amicis
Utilis evenies; civibus et patriæ
Splendescens decus et columen celebrabere, et altos
Inter honoratos conspicuere viros.

private fortune of his own, might well have hesitated to abandon so large a professional income.

But Perceval had attained a position in his party which made his return to his former office impossible. He had been 'the chief, if not the sole, head' of his party in opposition. His speech on the Catholic question 'had inflicted the death-blow to an already tottering administration;'[1] and the Duke of Portland, in consequence, naturally desired to place him in the most prominent position. But the terms of the offer must have increased Perceval's reluctance to abandon the bar. The Chancellorship of the Exchequer was then, as now, the most important office in the cabinet. But, at that time, the emoluments were wholly disproportioned to the responsibility. Now the Chancellor of the Exchequer enjoys the same salary as a Secretary of State, 5000*l.* a-year. Then the Secretary of State had 6000*l.* a-year; the Chancellor of the Exchequer only 1323*l.* and a house. The Duke felt such an office could hardly be pressed on a successful lawyer. He saw Perceval on the 20th March; formally offered him the place; and suggested, as Perceval wrote to Lord Arden,—

'An arrangement to increase its salary. I have peremptorily refused for these two reasons (over and above my strong and repeated wish to remain in the profession). First, that the salary of the office is so low that it would be absolute ruin to me to accept it; and, second, because I

[1] 'National Advertiser,' May 20, 1812.

would not have the administration begin by an increase of the salary of any officer, and particularly not by any such increase on my account,[1] I have left his Grace strongly impressed with the idea that he can do me no greater favour than by appointing me Attorney-General.'

But it was not to be so. Three days afterwards, on the 23rd March, he wrote again:

'My fate is determined. I have consented to take the office of Chancellor of the Exchequer, with the Chancellorship of the Duchy of Lancaster for life. I shudder as much as you do at the financial and other labours, but, with this annexation, and against the pressing urgency of *all* my friends, I did not think myself at liberty to resist. So pray make your mind up to it.'

There were only two precedents for the arrangement. Lord Lechmere had been granted the office for life in 1717; Lord Ashburton in 1782; but the offer had been contemplated on numerous occasions. Addington thought of offering the office for life to Grant, to induce him to abandon his profession; Pitt positively made the offer to Addington; and Lord Chichester, who had hardly any claims, was anxious, as we have seen, to obtain it in 1807 for himself.[2] Perceval, therefore, had some substantial grounds for conceiving that no serious objection would be made to the arrangement. The event, however,

[1] It is worth while comparing this with 'Peter Plymley's' sneer. 'It is contended by the well-paid John Bowles, and Mr. Spencer Perceval *who tried to be well paid.*'—Sidney's Smith's Works.

[2] Colchester, i. 223, 503; Malmesbury, iv. 376.

proved otherwise. On the day after he had accepted the Chancellorship, Bankes, according to notice, proposed a resolution condemning the grant of offices in reversion; and Plumer took occasion of the discussion to notice the report of Perceval's appointment: —'I have heard, sir, that the new Government which is now forming, have agreed to give to an honourable and learned member of this House an appointment to the Duchy of Lancaster for life, in order to tempt that gentleman to take a place in the new Government. Upon this I may observe that, if men of great abilities are not satisfied with the rewards attached to the situations which His Majesty chooses to appoint them to hold in the Government of their country, they ought not to accept of office at all. I do, however, at all events, enter my protest most solemnly against the measure of giving a man a situation for life, in order to entice him to occupy another, which may be more fleeting and temporary.'[1]

The House received these remarks with cheers; and Henry Martin, the member for Kinsale, followed them up with a notice that, on the morrow he would move an address to the Crown praying 'that His Majesty would be graciously pleased not to grant any place in the Duchy of Lancaster, or elsewhere, for life.'

Perceval was not in the House when these speeches were made. But he took care to be pre-

[1] Hansard, ix. 181.

sent on the succeeding evening. Immediately after the motion had been proposed and seconded, he rose to give the House an accurate statement of what had occurred. When he had understood that notice of the motion had been given, 'instead of approaching his Sovereign for the purpose of receiving his appointment to office, he had approached him with a request that the appointment might not take place on that day, that he might have an opportunity of addressing the House on the subject; and that His Majesty might not be fettered, in consequence of any advice the House might think proper to offer to him. He had gone,' he said, 'to assure the King that, whatever address the House of Commons might agree to, his services would be at His Majesty's disposal. Though, in the first instance, he had not felt justified in neglecting his duty to his family by abandoning a lucrative profession, since he found that his services were thought advantageous he felt that he had no longer an option. Whatever might be the consequences to himself, he should place his services at his Sovereign's disposal.'[1] Perceval, when he had made his speech, bowed, and left the House. A long and angry discussion ensued; and eventually Martin's motion was carried by 208 to 115 votes; and Perceval became Chancellor of the Exchequer, and Chancellor of the Duchy during pleasure.[2]

The accession of a new ministry necessitated, of

[1] Hansard, ix. 197. [2] Ibid. 219.

course, a short recess. Lord Howick intercepted the motion for adjournment with a lengthy commentary on the change of administration. But the new ministers had, of course, vacated their seats; no reply was possible from the Treasury Bench; and a languid and desultory conversation was the only immediate result of Lord Howick's explanatory declamation.[1] On the very following day Perceval issued his address to the Northampton electors. Though it was merely published in a local newspaper, and no steps were taken to give it a wider circulation, he was immediately charged with an attempt to raise the 'No Popery' cry. Even Romilly repeated the assertion.[2] Yet, if the circumstances connected with the change of ministry be remembered, it is difficult to see how Perceval could have said less. After briefly stating the fact of his appointment, he went on to say:—'I cannot permit myself to suspect for a moment that the circumstance of my having quitted my profession, at the call of my Sovereign, to afford him my services in this important office, can have any tendency to diminish your former confidence. I have the firmest reliance that my pretensions to the good opinion of every subject attached to the Crown, the Establishment, and the Constitution of our country, will be increased, rather than impaired, in consequence of my coming forward in the service of my Sovereign, and endeavouring to stand by him at this important

[1] Hansard, ix. 261. [2] Diary, ii. 198.

crisis, when he is making so firm and necessary a stand for the religious establishment of the country; and, though it is a peculiarly sacred duty in His Majesty to defend the established religion of his kingdom from all approach of danger, yet it must, I am persuaded, be felt by you to be the common duty and interest of us all.'[1]

Perceval was, of course, re-elected. The House re-assembled on the 8th April, and, on the following day, Brand brought forward his famous motion that 'it is contrary to the first duties of the confidential servants of the Crown to restrain themselves by any pledge, expressed or implied, from offering to the King any advice which the course of circumstances may render necessary for the welfare and security of any part of His Majesty's extensive dominions.' The Ministry met the motion by an amendment to pass to the orders of the day. The debate was warm. Perceval insisted that the motion was practically an attack on the Sovereign himself; since no advice, so far as he knew or believed, had been given to him on this point. Sir Samuel Romilly, who endeavoured to reply to him, but who made, to use his own account of it, a very bad speech,[2] after pronouncing 'an eloquent panegyric on the virtues of his right hon. friend, whose worth and sincerity he well knew,'[3] charged him with exciting religious animosities in the country. Whitbread and Lord

[1] Anonymous Memoir, 18. [2] Diary, ii. 202.
[3] Hansard, ix. 330.

Howick repeated the charge, but omitted the compliments; and the angry debate wore on till six o'clock on the Friday morning. The crowded lobbies were unusually excited. The Opposition, to the last moment, relied on a majority. The Ministry were equally confident that they were on the eve of a defeat. To the surprise of both parties, in a House of 489 members, the new Government had a majority of 32. For the orders of the day 258; against 226.[1]

'Perceval,' the Speaker tells us, 'wrote to the King (as usual) an account of the debate. The King's answer was short; saying, "it confirmed the opinion he had always entertained of the good sense of the country."'[2]

Though, however, the Ministry had won an unexpected victory, they had obviously no prospect of a working majority in the existing House. Before even the late Ministry had been dismissed, the propriety of a dissolution had been discussed by some of the more active Tories.

'With Canning to his rooms in the Albany,' wrote Lord Malmesbury on the 16th March. 'Settling administrations. Castles in the air. He for a dissolution. I not. Huskisson for it.'[3]

Before the 9th of April we may assume that the question had been decided in the affirmative; for Lord Malmesbury again writes,—

[1] Hansard, ix. 284–348. [2] Colchester, ii. 120.
[3] Diaries, iv. 369.

'At Court. Spoke to Perceval about his standing for Cambridge: he is doubtful for himself, but is ready to support, if he does not join, Lord Palmerston.'[1]

Still, however, the date was not fixed; and the Ministry, perhaps, contemplated the possibility of tiding over the session; and this opinion may have been strengthened by the events of the 15th of April. Lyttelton on that day proposed a motion that this House, considering a firm and efficient Administration as indispensably necessary in the present important crisis of public affairs, has seen with the deepest regret the late change in His Majesty's Councils.[2] The Ministry again met the motion by a proposal to pass to the orders of the day; and a long debate ensued. Abbot tells us, in his diary, that the Government reckoned on a majority of only ten. But the defaulters from the Opposition were so numerous, that they actually obtained a majority of forty-six. 'A dissolution,' the Speaker adds, 'is probable towards the end of May.'[3] But the evidence, which was daily received of the strong feeling the constituencies were evincing, probably suggested an earlier appeal to them. On the 25th of April Lord Malmesbury writes, 'Dissolution resolved on, and communicated in the evening to the confidential friends of the Government.' On the same evening, Perceval privately acquainted the Speaker with the fact. On the 26th, it was generally known. On the

[1] Diaries, iv. 382. [2] Hansard, ix. 435.
[3] Ibid. 475; Colchester, ii. 121.

27th, while the Speaker was preparing to count the House, Black Rod knocked at the door, and Parliament was prorogued; while, on the 30th, it was dissolved by proclamation.[1]

The King's speech on the prorogation was delivered by commission. The original draft was prepared by Perceval, who characteristically prefaced it with a long defence of the motives by which the King had been actuated, and by a detail of the reasons which had induced him to change his Ministry. The Cabinet seem to have struck out the passage, and to have wisely contented themselves with a general statement, that 'His Majesty is anxious to recur to the sense of his people, while the events which have recently taken place are fresh in their recollection.' Of the policy of the dissolution there could be little question. The consternation with which the news was received by the Opposition is the best proof of it. On the Speaker's return from the Lords, Lord Howick, 'who, it seems, had been in great wrath,' stepped up to the chair, 'to know if he could say anything.'[2] Abbot, of course, told him it was impossible. Romilly, who was in sore distress for a seat, repeats the old charge of the 'No Popery' cry.[3] 'The deed is done,' writes Lord Grenville to Lord Buckingham, 'and in the most violent of all possible ways.'[4] These accusations came, per-

[1] Romilly, ii. 205; Colchester, ii. 122, 123; Hansard, ix. 554.
[2] Diary, i. 123. [3] Romilly Diary, ii. 205.
[4] Courts and Cabinets, Geo. III. iv. 172.

haps, naturally from men who felt that they had lost the move, and with the move all hope of the game. Both sides, in the meanwhile, were preparing actively for the contest. Lord Malmesbury was not the only person who had contemplated the possibility of Perceval's candidature for Cambridge. The rumour that he would stand was so general that it became at last necessary to contradict it to his own constituents. 'The report,' he began his address to them, 'which has been circulated of my intention to stand for the University of Cambridge, is wholly without foundation. The offers of support which I have received from many of the most respectable members of that body were certainly such as to have encouraged me with a fair prospect of success; and a seat for the university is so proud and honourable a distinction that, under almost any other circumstances, I should have been eager to accept it.' . . . 'I should not have thought it necessary,' he goes on, 'to have lengthened this address by any additional observations, had it not been for the manner in which the object and purpose of my advertisement upon the last election have been misrepresented.

'A measure had been proposed to Parliament by the late Administration, which, opening to the Roman Catholics the highest commands in the army and navy, appeared to me in itself highly objectionable and alarming. But the great alarm, which I felt and expressed, has ever been distinctly stated by me to arise, not so much from the measure itself, as from

the consequences necessarily to be apprehended from it. . . . Under these circumstances, His Majesty had called to his councils other ministers—myself among the number—and, offering myself to you unexpectedly and in a new character, I, naturally and necessarily, referred to the circumstances which had led to these events. . . . . But, true as all this is, it is not a convenient truth for the late Administration. They endeavour, therefore, to mislead the country from perceiving it. For it is found that the measure to which I have alluded, the principles on which it was recommended, and the conduct by which it was supported, have excited a strong feeling, manifesting itself throughout the country by expressions of the strongest disapprobation of their conduct; of loyal devotion to the establishments of the country; to the person of the King and his constitutional prerogatives. It has been the object of the late Government to describe this feeling as proceeding from religious bigotry and clamour, inflamed into violence by court intrigue, and aided by my advertisement to my constituents; and thus those, who, by a wanton, uncalled-for and unnecessary agitation of a question most interesting to the feelings and sentiments of the people, find that they have raised a spirit of resistance to this measure and to themselves . . . . are anxious to ascribe to anything but their own precipitancy, absurdity, and folly, the resentment and indignation which they have brought upon themselves.'

The result of the general election decisively proved that Perceval had not exaggerated the feeling of the country. The ministerial candidates met with unusual success. The Opposition experienced a signal defeat. So chagrined were the latter with the result, that the most temperate among them ascribed it to a profligate expenditure. The Ministry, they wrote, are buying every available borough; and the King is himself supplying from his privy purse funds for the purpose. The purchase of seats in those days was an ordinary expedient to which both parties had commonly recourse; so that there is no doubt a substratum of truth in the charge. But there is no evidence whatever that the Portland Administration did more in this way than the most virtuous of their predecessors. The insinuation that the King lent his purse for the purpose is one of those charges which disappointed persons are apt to make, but which it is fair to disbelieve till some *primâ facie* evidence of its truth is received. Nor should it be forgotten that the small boroughs were not the only constituencies which revolted from the Talents lead at the General Election of 1807. Paull was turned out of Parliament. Sheridan was compelled to return to Ilchester; Lord H. Petty to Camelford; Sir J. Romilly to Horsham. The most prominent men on the Whig side of the House suffered, in short, from the excitement which their own leaders had provoked. The largest constituencies, as well as the smallest boroughs, were equally influenced

by the dislike of the whole country to make any concessions to the Roman Catholics.

The new Parliament met on the 22d June: Abbot was re-elected to the Chair, the formal business of swearing-in members transacted, and the King's Speech delivered by commission on the 26th.[1] Perceval, who had not yet moved to the official residence in Downing Street, which he occupied continuously from this time until his death, gave on the preceding evening the ordinary parliamentary dinner. 'Dined at Perceval's, in Lincoln's Inn Fields,' writes the Speaker in his Diary, 'where he read the King's Speech, after dinner, to his company. N.B. Mr. Secretary Canning *excused himself*' (the Italics are the Speaker's), 'and dined with a private invitation at Mr. W. Bootles'.' If it had not been for this passage in Lord Colchester's Diary, it would have been thought that Canning had had too great and generous a mind to have avenged his disappointed ambition in so petty and pointed a manner.

The King's Speech may perhaps be divided into four parts. The first—which must have been gall to the Opposition—notified His Majesty's satisfaction at having received, 'in numerous addresses from his subjects, the warmest assurances of their affectionate attachment to his person and government, and of their firm resolution to support him in maintaining the just rights of his crown and the true principles

[1] Hansard, ix. 565, 576.

of his constitution;' the second recounted the rupture between Russia and the Porte; the third had reference to the supplies; and the fourth stated His Majesty's desire to conduct the great contest in which he is engaged to a peace 'in which Europe and the world may hope for safety and repose.' The address naturally gave rise to a great trial of strength in both Houses. In the Lords the new Ministry had a majority of 93—160 to 67 votes.[1] In the Commons, after a debate which lasted from five o'clock in the afternoon till five in the following morning, the Ministry, in the fullest House that had ever been known, had a majority of 95—350 votes to 255[2]—so thoroughly had the dissolution strengthened the position of the Government.[3]

The tactics, which the Opposition adopted in the two Houses, were similar. In each a long amendment was moved to the Address, condemning in strong terms the recent dissolution. Lord Howick himself proposed the amendment in the Commons, in what seems to have been an unusually intemperate speech. Perceval immediately replied to

[1] Hansard, ix. 607. [2] Ibid. 657; and Colchester, ii. 123.

[3] The new Ministers obtained a still more striking victory on the 6th July. Whithead drew attention on that day to the state of the nation; and, roundly asserting that the late dissolution demanded an enlarged inquiry, moved for the appointment of a Committee. The records of the debate are meagre, as Denis Browne insisted on the exclusion of the reporters; but Perceval seems to have been the chief ministerial speaker, and the Government had a majority of 322 votes to 136.

him: 'The great object of the noble Lord — the sole point to which he seemed to wish to call attention — was the dissolution of the last Parliament. The noble Lord had admitted that there was no doubt of the prerogative of the Crown to dissolve the Parliament at any time: the propriety of the exercise of the prerogative must ever depend upon the circumstances. The noble Lord, whilst in office, with a parliament in which he encountered no formidable opposition, felt it necessary to dissolve. He would appeal to the House and the country if any reason existed for the dissolution recommended by the noble Lord which did not in reality apply more strongly to that which had been advised by the present Administration.' What would be the situation of the King if his Ministers had not made this appeal to the sense of his people? Had not His Majesty been held up as the sole obstacle to an extension of indulgences to a great portion of his subjects? Under these circumstances nothing was so necessary to the character of the King as such an appeal to his people, in order to show that it was not the King alone who was the obstacle to these indulgences, but the great majority of the nation.[1]

Four days afterwards a very different debate arose. On the 10th of the preceding February a committee had been appointed, on the motion of Myddelton Biddulph, 'in respect to controls and

[1] Hansard, ix. 627.

checks of expenditure, and reduction of offices."[1] The committee had already investigated some portion of their subject, and had made a report, which had led to a debate, against the grant of offices in reversion.[2] Lord Howick, in his speech on the 26th, had grounded one of his charges against the new Ministry on the suspension of the labours of the committee by the dissolution. Perceval had immediately rejoined that the committee would be re-appointed; and on the 30th June he rose to move its re-appointment. But the late committee had consisted almost entirely of nominees of Lord Grenville and his colleagues. Perceval naturally determined to engraft fresh blood in it by substituting, for some of the original members, some gentlemen on his own side; and he justified his determination by recounting certain questionable appointments which the late Ministry had made. The Opposition was furious, objecting to what Lord H. Petty called this 'gross and partial statement of facts which the committee was to decide upon.' Canning retorted, with admirable humour, that the noble Lord 'had upon a former occasion told a story of a Roman moralist who wished to live in a house of glass that all his actions might be seen. The noble Lord had expressed a wish to live in such a house himself. He could not, however, help repeating to him the vulgar proverb, "Those who have a house of glass ought not to begin by throwing stones." Those by

[1] Colchester, ii. 91.

[2] Hansard, ix. 178.

whom this principle of parliamentary practice had been not long since laid down were now unwilling that the house of glass, which this inquiry was to constitute, should be enlarged by a bow window, so as to include themselves.'

Perceval and his colleagues have been frequently blamed for their conduct in respect to this committee; but it is difficult to see how they could have acted otherwise. The late Ministry had taken the nomination of the committee into their own hands; had refused even to allow one or two of Biddulph's own friends to be upon it; and had, in short, constituted a tribunal notoriously favourable to themselves.[1] Could it be seriously anticipated that a new Ministry would not remodel such a body? Is it even reasonable to find fault with them for doing so?[2]

Exception has also been taken to the course which Perceval, a few days later on, took on a kindred subject. Lord Cochrane moved for a com-

[1] Hansard, ix. 632.

[2] A bill founded on the previous report of the committee was brought in and passed through all its stages in the House of Commons. It was, however, rejected in a very thin house by the Peers on Lord Arden's motion. The Opposition attempted to connect the rejection of the bill with Perceval; and the circumstance that every cabinet minister had been absent on the occasion of the debate from the Lords added force to their theory. Perceval took an opportunity late in the session to contradict the report; and assented to an address praying the king to grant no more offices in reversion 'until six weeks after the commencement of the next session of Parliament.'—Hansard, ix. 1046* and 1164.

mittee to inquire into all places held by members of parliament in reversion. Perceval narrowed the motion by excluding from it commissions in the army and navy; extended it to all other places, whether held by members of parliament or not; and, in lieu of appointing a fresh committee, assigned the duty to the Committee of Finance.[1] The Opposition, which had really desired to bring out in black and white the fact of Perceval's reversion to Lord Arden's office, complained that he had overwhelmed the motion and strangled the inquiry. Wilberforce had the courage to interpose. 'The motion,' he contended, of the Chancellor of the Exchequer, 'was completely adapted to the object, and the evidence to be obtained by it might also be of importance in other respects.' The House again supported the Ministers by 101 votes to 60.[2]

There are only two other debates in the Session to which any reference need be made here. In Committee of Supply, on the 15th July, the Ministry acceded to the policy of their predecessors in raising the grant for Maynooth to 13,000*l.* The increase was proposed on the very intelligible ground that Parliament was practically pledged to the larger sum. Its proposal afforded Perceval an opportunity for protesting against the notion that he desired 'to withhold instruction from the Roman Catholics of Ireland. All he wished to do was to protect the Protestants against the increased and increasing

[1] Hansard, ix. 740 and 740*. [2] Ibid. 743*.

influence of the priesthood.'[1] A month later, on the 13th August, Sheridan drew attention to the state of affairs in Ireland, and proposed that the House should promise early in the ensuing session to take 'the state and condition' of that country into their most serious and solemn consideration. Perceval replied, and, in a thin House, had a majority of 76 to 33. On the following day Parliament was prorogued.[2]

There can be very little doubt that Perceval, during the Session of 1807, had disappointed the expectations of his friends. Though a constant speaker—probably the most frequent speaker—he had in no previous session spoken so ill. This is what his enemies said: 'Perceval,' wrote Fremantle, 'seems to want nerves; he has not yet attempted that sort of boldness and decision, which was the feature of his former speeches; but he hesitates and stammers, and certainly as yet is quite different in his manner.' 'Perceval,' wrote Lord Temple, 'was very weak, and proved, for the fourth time, that a chattering lawyer in Opposition does not necessarily make a good manager of the House of Commons as Minister.'[3] This is what his friends said:—'Perceval ill, and below himself, owing, as we suppose, to his wife's illness fagging him and keeping him up at night.'[4] It is not impossible that

[1] Hansard, ix. 821. [2] Ibid. 1200, 1218.
[3] Buckingham Correspondence, Geo. III. iv. 167 and 250.
[4] Wilberforce, iii. 342.

Wilberforce may have hit upon the true reason. Mrs. Perceval had been lately confined of her thirteenth child; and her recovery had been slow. But there can also be very little doubt that the labour of his new office prevented him from devoting so much time as usual to Parliamentary preparation. On previous occasions he had compiled rough notes, and, in some instances, careful drafts, of his more considerable speeches. The Session of 1807 is the first in which he apparently spoke consistently without preparation. Nor should it be forgotten that the circumstances of the Session were not calculated to bring out Perceval's peculiar powers. His eloquence was never so brilliant, his sentences were never so pointed, as when he was leading a forlorn hope, or defending an over-matched ministry. When the combined forces of Pitt and Fox were assailing Addington's tottering administration, he alone carried on the combat. When the Duke of Portland had a preponderating majority, he failed to maintain the brilliancy of his reputation.

The prorogation brought no repose to the Ministers. Napoleon's successive victories at Eylau and Friedland had led to the negotiations of Tilsit. The British Government had received explicit information of a secret article in that Treaty for the infliction of a great blow on the naval power of this country. For carrying out this object Napoleon chiefly relied on the combined navies of Denmark and Portugal. The Cabinet determined to anti-

cipate the blow by seizing the fleet of the first of these powers; and with this object, the famous expedition to Copenhagen was planned. Only one opinion is possible of 'the secresy, promptitude, and efficiency with which the Copenhagen business was planned, conducted, and completed.'[1] The morality of the proceeding is, perhaps, more open to question. It depended on the secret articles of the Treaty of Tilsit; and, as the Ministers were unable to publish the information they possessed, they were necessarily unable to justify their conduct. No one, probably, put the case of this country more tersely than the Speaker, when he insisted that, 'if the Danes would not, or could not, preserve their fleet, this country had no security but in taking possession of it.'[2] One of the calmest judgments of our own time, has termed the expedition an 'extreme exercise of the rights of war;' an expression which involves the conclusion that, in the writer's judgment, it was, 'according to the rights of war, a justifiable proceeding.'[3]

The expedition left this country at the beginning of August; the news of the successful bombardment arrived home in the middle of September. Early in October the fleet returned with the Danish vessels as its prize. Before it returned the Ministry had justified the proceeding by a declaration in the

[1] Lord Auckland to the Speaker.—Colchester, ii. 131.
[2] Ibid. 135.
[3] Sir J. C. Lewis's Administrations, 30.

King's name. Perceval himself drew up a minute with this object, which is still among his papers; the one which was ultimately agreed upon will be found in the Parliamentary History.[1] 'His Majesty,' this declaration stated, 'had received the most positive information of the determination of the present ruler of France to occupy with a military force the territory of Holstein for the purpose of excluding Great Britain from all her accustomed channels of communication with the Continent; of inducing or compelling the court of Denmark to close the passage of the Sound against the British commerce and navigation; and of availing himself of the aid of the Danish navies for the invasion of Great Britain and Ireland.'

But the expedition to Copenhagen was by no means the only subject which occupied the new Ministry during the recess.

'The business,' wrote Perceval to the Speaker towards the close of it, 'of recasting the law of trade and navigation, as far as belligerent principles are concerned, for the whole world, has occupied me very unremittingly for a long time; and the subject is so extensive, and the combinations so various, that, even supposing our principles to be right, I cannot hope that the execution . . . must not in many respects be defective. The short principle is that trade in British produce and manufactures, and trade either from a British port, or with a British destination, must be protected as much as possible.'[2]

The sentence deserved, for many reasons, to be

[1] Hansard, x. 115.

[2] Colchester, ii. 134.

quoted; though in reality, while it testifies to the excessive labour the writer had undergone, it expresses only inaccurately the object of the famous 'Orders in Council.' We have already seen that Napoleon, in the previous autumn, had promulgated his Continental system; that the Talents administration had retaliated on the 7th January by an order practically directed against the coasting trade of France; and that Perceval had condemned in debate the insufficiency of the order. Early in the recess he prepared a very long paper on the subject, which he circulated among the Cabinet on the 12th October. 'The enemy,' this interesting paper begins, 'having issued decrees prohibiting the commerce of all neutral nations with Great Britain; and also prohibiting such nations from trading with any country in any articles the growth, produce, or manufacture of Great Britain; and having taken upon themselves, with a view to enforce these prohibitions, to declare Great Britain in a state of siege; the question is, in what degree is it just, and, if just, in what degree is it politic, for Great Britain to retaliate?

'With respect to the justice, as far as France is concerned, there can be no doubt; but it is asked whether the violence and injustice of France, in oppressing the trade of neutral nations by prohibitions contrary to the usages of war, give any right to Great Britain to oppress them also by corresponding prohibitions? The order of Council, issued

by the late Government . . . expressly asserts a full right . . . . to retaliate . . . . Independent, however, of their opinion, there cannot, as I conceive, be any doubt that such right does exist.

'The enemy prohibits trade with us, and in articles of our growth, produce, and manufacture. We prohibit, in return, trade with the enemy, and in articles of their growth, &c. . . . The measure is not adopted to injure the neutrals, but the enemy . . . The neutrals may complain; but if they complain justly they will direct their complaints against those whose proceedings against us and our trade make it indispensable, for our security and protection, to retaliate against them and their trade . . . . .

'Besides, as the law of nations could never have prevailed, and been submitted to as such, except upon the principle of its being universally and reciprocally acknowledged by all nations which live within the civilised world . . . . when an enemy arises, who declares to all the world that he will trample upon the law of nations, and hold at naught all the privileges of neutral nations, when they do not suit his belligerent interests . . . . . it is evident that if those powers, with which he is at war, should continue to hold themselves bound by rules and obligations of which he will not acknowledge the force, they cannot carry on the contest on equal terms; and the neutral, who would control their hostility by those rules and laws which the enemy refuses to recognise, and which such neutral does not compel

that enemy to observe, ceases to be a neutral by ceasing to observe that impartiality which is the very life and soul of neutrality . . . . . When a neutral nation is forced to submit to let a belligerent pass through her neutral territory, she can, on no principle, refuse to the other belligerent a similar passage. . . . Nay . . . the passing through one province of a neutral nation not only justifies the other belligerent in passing, in his turn, through the same province, but through any other of the same neutral. So the infraction of one principle of neutral navigation by one belligerent, if submitted to by the neutral, must justify, as in equal justice it must often require, an infraction of another by the other belligerent. Otherwise, one belligerent nation might make its own choice; and, where a neutral right was in any degree advantageous to her trade, and not at all advantageous to that of her enemy, might, with religious scrupulosity, refrain from infringing upon that right; while all other neutral rights (the balance of advantage resulting from which might be the other way) she might overbear and despise . . . . . The question, therefore, as respects the right, I conceive, to have very little difficulty in it. The question is of much greater nicety and difficulty as far as it respects the policy.

'The order is issued by France and her allies or dependants, in order to injure and destroy our trade. It would not be revenge, but reward to retaliate in such a manner as should injure our trade more than

it would injure that of the enemy. . . . To retaliate to the extent of actually prohibiting all intercourse by neutrals with the enemy, would be, as it seems to me, highly impolitic and injurious to ourselves. We ought to encourage our commerce with the enemy, at least to such extent as may enable us to take advantage of neutral navigation, to convey to the enemy's market articles of our growth and produce, which they want to have and which we wish to part with . . . .

'After these observations, suggesting the propriety of retaliating *sub modo*, it remains to be seen in what degree it will be wise so to retaliate. The only thing which we can do, which will to any great extent inconvenience the enemy, and confer advantage upon ourselves, is to prevent the importation into the enemy's countries of all East and West Indian commodities, except from the ports of this country. But, if we actually prohibit all intercourse between neutrals and the enemy's colonies, or between neutrals and the enemy's Continental possessions, it would be such a severe blow upon the trade of America, as might make it no unreasonable choice on her part to prefer the dangers and chances of war to such a restriction upon her trade. I should, therefore, wish to leave such advantages still to neutral trade, as to make it quite clear to be the policy of America to prefer the neutral trade which is left to her to the total stoppage of her trade with the enemy, and with ourselves too, which a war might occasion. . . .

'With this view, therefore, I would recommend to relax thus far in the rigour of our retaliatory prohibitions as to leave to neutral nations the right of trading directly in articles of their own growth, produce, and manufacture, exported in their own vessels to the enemy's countries; and of importing from the enemy's countries for their own use articles, the growth, produce, and manufacture of such enemy's countries; that is, leaving to them free the *direct* trade between the enemy and themselves in articles of their respective growths. . . .

'It is obvious, indeed, that these relaxations would render the measure of retaliation less destructive to the trade and comforts of the enemy than if the prohibition were absolute; and that it will also be the means of evading very frequently such of the prohibitions as shall be adopted; but, when the degree, in which the prohibition will by these means be reached and its effect counteracted, is set in comparison with the advantage to be gained by keeping America out of the war, I think there can be no doubt in admitting the policy of this or some such relaxation.'[1]

The Cabinet concurred generally in Perceval's paper. 'The right of retaliation,' wrote the Duke of

[1] I have compressed this from the original of the minute circulated through the Cabinet, which I found among Perceval's papers. The original is very long and very closely argued; so that I am not even now sure that I have done full justice to the reasoning of the writer in the shorter argument I have given in my text.

Portland, 'appears so obvious, that the only question for consideration is the extent to which it should be exercised.' 'I have never for a moment,' wrote Canning, 'doubted the justice of retaliation to the full extent; and the right of retaliating to the full extent unquestionably includes the right of partial retaliation.' 'It seems open to us clearly,' wrote Lord Hawkesbury, 'to do what France has done; that is, to make prize of all ships sailing to and from France.' 'I have no doubt,' wrote Lord Westmoreland, 'about the question of right.' 'I concur entirely,' wrote Lord Castlereagh, 'in the principles of the proposed measure, and very much in the details; as well as in the reasoning contained in the accompanying paper.' But, while on the principles there was a general agreement, there was some difference of opinion as to the manner in which the measure should be carried out. The Duke of Portland doubted the policy of extending the order 'beyond the actual dominions of France.' Canning preferred to 'confine the measure to a part of the countries in the occupation of the enemy — (a large part to be sure — France and Holland for instance) — and apply it in all its rigour to that part, than extend it to the whole, and relax it by complicated exceptions and regulations.' Lord Hawkesbury, on the contrary, could 'not see the propriety in principle of not extending our order to all countries who have issued the decree of making prize towards us.' And Lord Castlereagh 'formed a strong impression that, with a

view to render the measure effectual towards the enemy, it would be essential to make every vessel entering the ports of France liable to seizure, that had not previously touched at a British port, and which did not proceed with a British licence.'[1]

Armed with these opinions, Perceval seems to have proceeded to draw the order; the draft of which was again circulated among the Cabinet. As it was ultimately issued, it practically gave effect to Perceval's original suggestion. It began by declaring that 'all the ports and places of France and her allies, or of any other country at war with His Majesty; and all other ports and places in Europe, from which, although not at war with His Majesty, the British flag is excluded; and all ports or places in the Colonies belonging to His Majesty's enemies; shall be henceforth subject to the same restrictions as if the same were actually blockaded by His Majesty's naval forces . . . . and every vessel trading to or from the said countries or colonies . . . . shall be captured and condemned as prize to the captors.' The order then went on to specify certain exceptions in accordance with the suggestions which Perceval had made.

The orders were dated on the 11th November. On the 21st of the following January Parliament met. It was at once seen that the Opposition intended to impugn, with all their force, the policy of the Copenhagen expedition, and of the Orders in

[1] Perceval Papers.

Council. The speech was a very long one; and, though no actual opposition was offered to the Address, the propriety of the Ministers' conduct was loudly questioned. Lord Milton declared that 'to attack a neutral country as we had attacked Copenhagen was, *primâ facie*, unjustifiable;' and that 'the Orders of Council would probably produce a rupture with America.' Ponsonby, though he reserved his opinion till the papers were produced, thought it 'impossible to concur in that part of the Address which pledged him to an approbation' of the expedition. Whitbread insisted that the attack on Denmark was 'cruel and unjust,' and that 'the Orders in Council would be found to produce great inconvenience to the great mass of the people.' Lord H. Petty followed in the same strain. Windham, in much more violent language, talked of the time 'when Ministers would be called upon to pay the penalty of their misdeeds—when they, the perpetrators of the acts in question, would be left only with the shame of that they had done, and the serious and lasting consequences which that shame would bring along with it.' Perceval then rose, and rested the defence of the expedition on the antecedent conduct of Buonaparte, and insisted that the existence of the secret Article in the Treaty of Tilsit had been confirmed by the subsequent attack of France on Portugal. Sheridan followed with a violent attack on Perceval, and insisted that the Ministers were

bound to produce the substance, at any rate, of the information on which they had acted.[1] The debate was renewed seven days afterwards. Windham desired to refuse the usual vote of thanks to the troops who had been engaged in the expedition: he rested his opposition on the double ground that the service was one which demanded sympathy, not exultation, and had required qualities in the troops engaged which, however useful in themselves, it was not usual to reward with thanks. Perceval replied to Windham with a long list of precedents which were more or less applicable to the occasion; and thanks were ultimately voted by 100 votes to 19.[2] On the 3rd February the attack was again renewed. Ponsonby moved for the substance and date of all information transmitted by His Majesty's Minister at the Court of Copenhagen during the past year respecting the naval force of Denmark; but the motion was rejected by 253 votes to 108; while on the 8th February, in a further motion for a despatch of Lord Howick's, which Canning was alleged to have misrepresented in his speech on the 3rd, the Ministers were again in a majority by 157 votes to 73.[3] Though Canning, having defeated the Opposition, immediately granted the despatch asked for, to prove that the extract which he had read was supported by the context.[4]

On the 25th February Sheridan again drew

[1] Hansard, x. 37, 71, &c. [2] Ibid. 175 and 182.
[3] Ibid. 310 and 396. [4] Stapleton's 'Canning, 136.

attention to the subject, and called for papers; but the Ministry was again in a majority of 184 votes to 85; on the 26th February another debate took place, on Canning's own motion for the papers which he desired to produce; and finally, on the 21st March, Sharp moved a vote of censure on the Ministers, but was defeated by 224 votes to 64;[1] while a subsequent motion of Mr. Stuart Wortley's, thanking them for their conduct, was carried by 216 votes to 61.[2]

The Orders in Council were far more stoutly contested. Perceval, on the 5th February, moved that the House should go into committee upon them, and delivered the first of his numerous speeches on this subject. Lord H. Petty commenced the debate by questioning the legality of the order. 'The Privy Council,' he contended, 'was limited by the law of nations. . . . . It was the opinion of Lord Eldon, expressed on an appeal in the last war, that the Orders of Council were nothing but a definition of what was at that time held to be the law of nations; that it was not consistent with the law of nations to seize the ships of neutrals, nor could a mere principle of retaliation upon a third party justify such a seizure.' Perceval replied in a very spirited speech. If the order of the 21st November was illegal, that of the 7th January, to which Lord H. Petty had himself been a party, was equally illegal; for the principle of both orders was the

[1] Hansard, x. 735, 755. [2] Ibid. 1235.

same. But the true fact was that the Orders in Council were 'measures of war, which the King was entitled by prerogative to take, and with which it was never intended by any statute to interfere.' A debate which lasted till two in the following morning ensued. The Ministry obtained the support of the Master of the Rolls.[1] The House assented to Perceval's motion, and went *pro formâ* into committee. A Bill, framed on the orders, was directed to be brought in; but its introduction was the signal for the renewal of the struggle. The second reading was opposed on the 18th February by Mr. Eden, but carried, on a division, by 214 votes to 94.[2] On the Report being brought up, Tierney took a technical point. The Bill, he contended, consisted of two parts: the one proposed the regulation of trade; the other the imposition of certain duties. There was also a clause for remitting forfeitures which could not be regulated by the Crown. But 'there was a standing order of the House that no Bill for the regulation of trade should originate except in a committee of the whole House, called a Committee for the Regulation of Trade and Navigation.' The proper course, he argued, would have been to have referred one part of the present Bill to the Committee of Trade, the other to a Committee of Ways and Means. Perceval consented to recommit the Bill for the purpose of dividing it accordingly; but he success-

[1] Hansard, x. 321, 340. [2] Ibid. 684.

fully resisted the proposal to revive a Committee of Trade and Navigation.[1]

On the 3rd March another opportunity for debate occurred. General Gascoigne presented a petition from the Liverpool merchants against the measure; and the Speaker at once stated that the usage of the House was 'not to receive any petition against a Duty Bill.'[2] Perceval supported the Speaker, and the motion for the reception of the petition was rejected. Seven days afterwards a petition of the London merchants to be heard by counsel was rejected by 99 votes to 66; and, after repeated motions for adjournment, made with the avowed intention of creating delay, the Bill was read a third time on the 14th March.[3] On the 18th March, Alderman Combe moved that counsel should be heard on the orders, and Brougham was, for the first time, heard at the bar.

During these lengthened debates Perceval had been a constant speaker. 'The ministerial side of the House was then considered,' wrote his anonymous biographer, 'as not affording many able speakers; and it was, therefore, a point of policy to harass it by incessant debates. But the ready, vigorous, and pointed replies of Mr. Perceval, distinguished by a strong sense and a thorough knowledge of business, together with his unshaken firmness, ultimately left his opponents very little

[1] Hansard, x. 678, 726. [2] Ibid. 889, 896.
[3] Ibid. 1066, 1076, 1183.

advantage from the most violent and persevering attacks.'

The Orders in Council prohibited the exportation to France of all articles which were not carried from this country and had not paid an export-duty. There were, however, certain articles which the Ministry determined the enemy should have on no terms; and accordingly, on the 22nd February, Perceval moved for leave to introduce a Bill to prohibit the exportation of cotton-wool, and Jesuits' bark. The Jesuits' Bark Bill, as it was termed, was opposed by Whitbread, but it was easily carried.

It seemed necessary to notice these measures, because their introduction has, on three different occasions, been made a distinct charge against Perceval. Whitbread epigrammatically insisted that they constituted a war against hospitals. 'Peter Plymley' put the same thing in another way: 'You cannot seriously suppose that the people care for such men as Lord Hawkesbury, Mr. Canning, and Mr. Perceval, on their own account. You cannot really believe them to be so degraded as to look to their safety from a man who proposes to subdue Europe by keeping it without Jesuits' bark.' 'In the midst of this unparalleled anxiety,' he writes to his 'brother Abraham' on another occasion, 'we are told that the Continent is to be re-conquered by the want of rhubarb and plums.'[1] Many years afterwards Napier repeated the charge in his 'History of the Peninsular

[1] Sidney Smith's Works, iii. 452.

War,' in less guarded language, 'His' (Perceval's) 'bigotry taught him to oppress Ireland; but his religion did not prevent him from passing a law to prevent the introduction of medicines into France during a pestilence.'[1] Napier subsequently admitted that the three last words were not borne out by the facts, and that there was no pestilence in France in the summer of 1808. But, even if there had been, its existence would not have stamped the measure as inhuman. All wars necessarily involve suffering, not merely to the combatants, but to the people who engage in them. And, if the right of war be once admitted, it is a mere maudlin sentimentality to object to the suffering it occasions. No general ever hesitated to blockade a town because a great number of inoffensive persons would, in consequence, be brought to the brink of starvation. And, if it be legitimate to starve a town, it must obviously be legitimate to cut off the supply of a single commodity. 'The object of this Bill,' wrote Cobbett in the 'Political Register' at the time, 'and of all the regulations in question, is to retaliate upon the Emperor of France for his decree declaring England in a state of blockade..... Mr. Whitbread's logic is this: 'If you prevent the removal of disease, you must, on the same principle, wish its increase; and this principle will lead to the promotion of poisoning and assassination.....

[1] Remarks on the character ascribed by Col. Napier to the late Right Hon. S. Perceval, London, 1835, p. 14.

No, sir: for, though I approve of this Bill, I would not approve assassination any more than you would; though I approve of the Bill, I do not wish to prevent the removal of disease any more than you wish to prevent the removal of thirst by charging sixpence a pot for your porter, when you see many poor wretches who cannot possibly get it at that price. You cannot, I dare say, sell your porter cheaper without danger to your fortune: nor can we suffer the bark to go to France without danger to our fortune as a nation.'[1]

There are only two or three other matters to which allusion need be made in the history of the Parliamentary Session of 1808. First, perhaps, in importance was the fiscal policy of the Minister. The supplies of the year, exclusive of the charges on the Consolidated Fund, amounted to 48,653,170*l.* 5,713,566*l.* of this sum was the proportion which would fall on Ireland. The balance of 42,919,640*l.* it was Perceval's duty to provide. The war-taxes were estimated at 20,000,000*l.*; malt and pensions at 3,000,000*l.*; the unappropriated surplus of the Consolidated Fund at 766,870*l.*; and the yield of the Lottery at 350,000*l.* These items together produced a revenue of 24,076,870*l.* The probable surplus of the Consolidated Fund was estimated at 3,500,000*l.* The residue was obtained in four ways. 3,000,000*l.* was advanced without interest as a loan by the Governors of the Bank, in return for the advantage which they

[1] 'Political Register,' 1808, 368.

derived from the large public balances in their hands; 500,000*l.* was taken from the Unclaimed Dividends Fund, which amounted to nearly twice that sum; 4,000,000*l.* of Exchequer Bills were issued in return for a similar amount which had been funded; and a loan of 8,000,000*l.* was contracted. These sums in all produced a revenue of 43,076,870*l.*, or of 137,000*l.* more than the amount actually required. It was still necessary to provide for the interest and Sinking Fund of the new debt. 750,000*l.* was required annually for the purpose; 380,000*l.* of the amount was available by the falling-in of some short annuities; 125,000*l.* was obtained by an addition of about 2 per cent. to the assessed taxes, and 220,000*l.* by an extension and consolidation of the Stamp Duties. Even in our own time, with our better knowledge of finance, it is impossible to apply any criticism to the first fiscal scheme of the Minister who, Sheridan once said, was utterly unknown to the House as a financier.[1]

In the May following Perceval made another financial proposal. Persons possessing stock in the 3 per cents should, he suggested, be permitted to transfer it to the Commissioners for the Reduction of the National Debt, 'with the view of obtaining in its stead equivalent annuities.' Windham, Tierney, and Lord H. Petty objected, in the first instance, to the plan, on the singular ground that 'many parents would be found who would be

[1] Hansard, x. 232 and 1302; xi. 11.

willing to sacrifice the future interests of their children to their own immediate gratification.' Later in the session Tierney contended that the plan would interfere with the operation of the Sinking Fund; while Lord H. Petty denounced it as 'objectionable in a political, moral, and financial point of view.' The value of these criticisms may perhaps be tested by the circumstance that the Sinking Fund has long since been abandoned; while Perceval's plan is still in operation. The former has been almost universally condemned; the latter has been nearly as generally supported.[1]

Some of the other events of the session will, at the present time, be considered more questionable. The Ministry, for instance, proposed the reduction of the Maynooth grant from 13,000*l.* to 9,250*l.* Perceval himself contended that the latter sum was sufficient.[2] He declined, too, to allow the petitions from the Roman Catholics of Ireland for the removal of their disabilities to be referred to a Committee of the whole House.[3] 'Catholic petition,' wrote the Speaker in his Diary: 'Mr. Grattan, in a very able speech of two hours, moved to refer it to a Committee of the whole House. He was supported by Ponsonby, Windham, Lord Henry Petty, Whitbread, Maurice Fitzgerald, &c. Opposed by Canning and Lord Castlereagh upon the score of time, and by Perceval *in toto*. Opposed also by Wilberforce and Yorke. Two divisions: first, for

[1] Hansard, xi. 261, 697. [2] Ibid. 93, 123. [3] Ibid. 638.

adjourning the debate, 118 to 298; secondly, upon the main question for the committee, 128 to 281. Adjourned at six in the morning.'[1]

The Speaker's description of Perceval's speech is only partially accurate. Perceval opposed the petition, less from any objection to comply with the requisition than from the conclusion that a compliance with 'it would operate as a stimulus to greater demands.' 'If you mean to satisfy the Catholics by concession, you should make up your mind to establish the Roman Catholic religion, and then you will satisfy the Catholics; but, short of that, you never can satisfy them by concession.'[2]

While Perceval was thus resolutely opposing the Roman Catholic claims, he was earnestly supporting the interests of the poorer clergy of the Church of England. Seven years before, in the Session of 1801–2, Sir W. Scott had introduced a measure to remedy some of the grievances of the Church. The Clergy Non-Residence Bill, as it was called, practically proposed the repeal of the penal laws of Henry VIII. and Elizabeth. By these laws clergy-

[1] Diary, ii. 150.

[2] Perceval distinctly hinted that he was not opposing the removal of these disabilities *in toto*. 'I beg to be distinctly understood that, if there should be such an alteration in the affairs of the world, or in the nature of this religion itself, as to put this question in a different shape hereafter, then, consistently with what I have done and am now doing, I may assent to the propriety of adopting some measure for the purpose of granting what the Catholics may then seek.'—Hansard, xi. 624.

men were compelled to live in their own parishes; they were not allowed to engage in any industry; they were even debarred from the ordinary pursuits of buying and selling. A clergyman living in the City was fined for residing beyond his parish, though there was no sufficient residence within it for his family and himself. A clergyman buying a pig or a cow rendered himself liable to a fine three times as large as the value of the animal. Special informers wandered about the country, seeking out offenders, in the hope of earning for themselves a share of the penalty. It was under these circumstances that Sir W. Scott proposed his measure of relief. The clergy, he proposed, should be permitted to engage in the ordinary pursuits of a country gentleman's life, and with the consent of the bishop to reside beyond the limits of their own parish. Perceval certainly prepared and probably delivered a speech on the motion for leave to introduce the Bill. 'All that part of the Bill,' he said, 'which respects the power of the clergy over their own property, which relates to the leasing their own property, and enables them to take on lease certain lands commodious for them, which removes from them the most oppressive regulations which the statutes of Elizabeth have imposed on them, ... has my most unreserved and unqualified approbation. Perceval went on to say that he regarded the other part of the Bill, affecting the residence of the clergy, with different feelings, because 'the

presence and example of a resident clergyman, exhibiting in his life the Christian virtues which he preaches, can never fail to produce the most important benefits within the sphere of his influence.' 'Non-Residence Bill,' wrote Wilberforce in his Diary, 'Windham, Addington, Sir W. Scott, and Grant earnest for giving the bishops unqualified discretion and power. Attorney-General Perceval *contra*.' 'Perceval in earnest,' he writes again, 'on Sir W. Scott's Bill; yet almost all agree in wishing the bishops to be absolute in authority.'[1]

Sir W. Scott's Bill made only slow progress, and was ultimately abandoned.[2] It was, however, carried much in its original shape in the following year; and in 1803 its author followed it up with his Stipendiary Curates Bill. As his previous measure had increased the facilities for non-residence, the object of the new one was to compel the non-resident incumbent to provide a suitable salary for the curate in charge. The proposal excited consternation among pluralists; and Scott, who was member for the university, became half afraid of the clamour he had himself created. The Bill was rejected in 1803 on a technical point; and, though it was again introduced in 1804, the session was far advanced and Scott permitted it to drop. 'Now in 1805,' wrote the Speaker on the 4th April, 'he hesitates, and thinks his constituents at Oxford will disapprove it.' Abbot, who was himself really

[1] Diary, iii. 49 and 102. [2] Hansard, xxxiv. 463, 890.

anxious for the success of the proposal, took an opportunity, three days afterwards, of speaking to Pitt on the subject. 'Mentioned the Curates Bill, which Sir W. Scott had abandoned; but he said the Attorney-General, *who was not so easily intimidated*, had undertaken it.'[1] On the last day of April Perceval introduced the Bill. It 'was the same,' he explained, 'as one which had already received the sanction of the House, though, from its having had, when it passed before, a clause in it for the making provision for such curates as should be deprived of their curacies by the Rectors' Residence Bill, it had been treated in the other House as a money bill, and on this ground rejected.' .... He did not propose 'to alter the laws as they stood with respect to livings under 400*l.* a-year, the bishops having power in those cases to enforce a residence; but, when the living exceeded that sum, he thought that there could be no objection to compelling the rector to provide a resident clergyman with a salary of 200*l.* a-year.' Incredible as it may seem, this moderate proposal was unpopular.[2] The Whigs raised the cry of vested interests against it; and, though it passed through all its stages in both Houses, it was crippled with amendments in the Lords, which the Speaker declared to be 'of such a nature that the House could not, consistently with its peculiar privileges, concur in;' and Per-

[1] Colchester, i. 545, 546.

[2] Parl. Deb. iv. 5, 612; v. 154, 737.

ceval was, in consequence, himself compelled to move the rejection of the measure.

Perceval again brought forward the Bill in 1806, and again it was received with the old alarm. 'The university,' wrote his friend Mansel to him from Cambridge on the 25th April, 'is in considerable agitation about your Bill.' The Whigs renewed their opposition to it in the Lords; Fox lent the aid of his great authority to the Opposition, and it was thrown out in a thin House on the second reading.[1]

Perceval was so discouraged at these successive defeats that he did not renew his proposal during the succeeding session. In 1808,[2] however, he again brought in the Bill. 'The curate,' he proposed, 'should in ordinary cases have a salary one-fifth of that of the incumbent, but that in no case it should exceed 250*l.* per annum.' The measure was violently opposed by Lord Porchester and Mr. Windham in the House of Commons, as well as by Lord Lonsdale in the House of Lords. It passed through all its stages in the Lower House, but was rejected on the third reading, without a division, by the Peers; and Perceval was again disappointed of the success which he had secured on the very eve of achieving.[3]

[1] Parl. Deb. vi. 741, 922.

[2] On this occasion he published, in the shape of a letter to Dr. Mansel, a pamphlet reviewing the arguments in favour of the Bill.

[3] Hansard, xi. 54, 835, 1135.

Though Perceval, in subsequent sessions, renewed the attempt to carry this measure, it did not become law till the year after his death; when Lord Harrowby 'accomplished, what his late virtuous friend and colleague, Mr. Perceval, had greatly at heart, and which, from regard to his memory, as well as from a cordial approbation of the measure, he entered upon as a sacred trust.' 'That a question of wide extent,' said the same writer, 'and of a nature purely ecclesiastical, should originate with laymen professedly friendly to the Church Establishment, and that it should derive no assistance or support from an order of men whose office and station require them more especially to watch over the interests of the Church, and who seldom address the assembly in which they sit on any other occasions; that most of them, on the contrary, should have opposed it in every stage, without denying the existence of the evil complained of, and without offering any better remedy; that, in spite of these obstacles, and of the general though suppressed murmur of the holders of Church property, it should have passed into law, are circumstances so strange as to excite more than ordinary surprise and curiosity.'[2] At the present time the opposition to

[1] The interest which Perceval took in the poorer clergy received a fresh illustration in 1809, when he proposed and carried a grant of 100,000*l.* to raise the incomes of those who had less than 50*l.* a-year to that sum. Wilberforce on this occasion observed that 'it was highly honourable in his right honourable friend to have attended to this subject amidst such a variety of avocations.'—Hansard, xiv. pp. 920 and 921.

[2] 'Quarterly Review,' Oct. 1813, 41, 49.

the bill by the whole bench of bishops, and its rejection by the House of Lords, may be spoken of in stronger language.

It is only fair to remember that this discreditable policy was promoted by such men as Fox, Windham, and others, who are deservedly regarded as the pioneers of reform; that the more generous course was persistently recommended by the statesman who has been termed 'narrow, harsh, factious, and illiberal in everything relating to public matters.'[1]

Parliament was prorogued on the 4th July. 'The most laborious session for hours of sitting ever known within living memory of the oldest members or officers of that House,' wrote the Speaker.[2] 'The debates,' wrote Wilberforce, 'are poor, compared with former times; yet Perceval improved, and Canning exceedingly clever.'[3] During the earlier years of the century, Perceval had leased a country-house at Hampstead, from whence, during the recess, he had ridden up to his chambers in Lincoln's Inn, or his office in Downing Street. After Mrs. Perceval's illness in 1807, he left Hampstead, and took a house at Clapham. In 1808 he resolved on purchasing a small property in the immediate neighbourhood of London. After some hesitation, he decided on Elm Grove, a place at Ealing belonging to Lord Kinnaird. It consisted of a fair house and thirty-six acres of land; and Perceval gave for it, without the timber, 7000

[1] Napier's Peninsular War, 142.
[2] Colchester, ii. 158. [3] Ibid. iii. 360.

guineas. The timber cost him £500 more. Small as the sum was, Perceval hesitated whether he could afford so much. But the place was healthy, it was within an easy ride of Downing Street, and the purchase was accordingly concluded.

CHAPTER VIII.

THE SESSION OF 1809.

1808–1809.

Continental Affairs—The Peninsular War—Sir Arthur Wellesley —Battle of Vimeira—Sir H. Burrard—Sir H. Dalrymple—Convention of Cintra—Sir John Moore's Expedition to Portugal —Duke of York and Mrs. Clarke—Mr. Gwyllym Lloyd Wardle—Inquiry respecting Military Appointments—Mrs. Clarke's Examination by the House of Commons—Proposal made by Lord Melville—Lord Mulgrave's Advice—Debate in the House of Commons—Traffic in Public Offices—Charges against Castlereagh and Perceval — Parliamentary Reform Bill — Quintin Dick's Resignation — Romilly's Bill on Corrupt Practices — Budget for the Year.

THE year 1808 was, in many respects, a remarkable one for England. It was chiefly so because it witnessed the commencement of that great struggle in the Peninsula, which ultimately resulted in the successive defeats of the ablest marshals of France, and the invasion by the victorious British army of the French empire. News of a very satisfactory nature had reached England before Parliament was prorogued. Napoleon, in the early period of the year, had compelled Charles IV. to resign the Crown of Spain; and had sent his own brother, Joseph, as king to Madrid. But Napoleon had miscalculated the temper of the

people on whom he was thus imposing his own dynasty. Though Murat was in their country with a powerful French army; though their strongest fortresses and their capital were in the hands of the enemy; though the foremost men of their nation had recognised at Baylen their new Sovereign, the Spanish nation revolted from the dictation of the conqueror of the world. The people rose; they murdered, where they were able, their new masters; they appealed to England for succour, and proclaimed Ferdinand their king. The news of the insurrection was received in this country with unmistakable joy. The Spanish rising was welcomed as a new element in the great struggle. The Ministry shared the enthusiasm of the people, and determined on granting the assistance that the Spaniards had demanded.

The Portland Cabinet was as happy in the choice of a commander as they had been in their decision. Sir Arthur Wellesley had already gained distinction in our Indian empire; he had only lately received the thanks of Parliament for the part which he had played in the expedition to Copenhagen; he had held a subordinate position in the Portland administration as Secretary for Ireland. Now, on the 12th of July, he was sent with a force of 12,000 men from Cork to the Peninsula. Before Sir Arthur had arrived at his destination, news was received in this country well calculated to rouse the hopes of the people. The Spaniards, unaided, had won a great victory. Dupont had been compelled to lay down

his arms at Baylen. Joseph Buonaparte had, in consequence, retreated from Madrid. Before another month was over, still more gratifying intelligence had arrived. Wellesley had landed on the coast of Portugal; and had defeated Junot at Vimeira. The French army was in a critical position; its capitulation might momentarily be anticipated. Since the date of Nelson's crowning victory, no such news had been received in England. But the lustre of Nelson's victory had been tarnished by the great loss which his death had occasioned. The battle of Vimeira had no such foil. Long, too, before Trafalgar, Duncan, Hood, St. Vincent, and Nelson himself, had taught their fellow-countrymen to regard England as invincible at sea. But the most confident Englishman could hardly venture to maintain the superiority of the British army. With one short interval of peace, we had been for twelve years at war. With the exception of two isolated victories in Egypt and Sicily, our army had won no great battle. England was the undisputed mistress of the seas; but Napoleon was the undoubted master of the Continent. The sun, which had smiled on his arms at Austerlitz, had never set; the success, which had attended his earlier efforts, had never failed him. Every nation had stood in arms against France; and men of all races and of all languages had acknowledged the superiority of the French soldier. England, alone, had never grappled seriously on land with the conqueror of the world. But there was no reason for supposing that

the Englishman would succeed where the Russian, the Prussian, the Austrian, had all failed. Compared with the forces which these powers had at their disposal, the English army was small; it was scattered over distant possessions, which it was necessary to defend; it could hardly be said to have achieved a history; it was doubtful whether it possessed a general. The battle of Vimeira changed all this in a moment. An English army had been opposed, on equal terms, to a French force. An English general, with only an Indian reputation, had been pitted against one of the ablest of Napoleon's lieutenants; and the English soldier had proved a match for the veteran of the empire. Wellesley had shown himself superior to Junot.

The nation was intoxicated with joy. Was the flood of French conquest at length beginning to recede? Was the dawn of a better day breaking on the coast of Portugal? The very greatness of the news led all parties to expect still greater. More news came. The great victory had been followed by a barren convention. Junot had been defeated by Wellesley; but Wellesley and his superior officers had been outwitted by Junot.

Though the Ministry had exercised a wise discretion in selecting Sir A. Wellesley for the command of their new expedition, they had unwisely concurrently instructed other officers, who were his seniors, to co-operate with him. It would, no doubt, have been difficult to have done otherwise. Sir

Arthur Wellesley was low down in the list of generals; his senior officers were at that moment serving in Spain; and it was not easy, therefore, to utilise the whole English force in the Peninsula without sooner or later superseding Sir Arthur. As a matter of fact, before the battle had been won, Wellesley was superseded in his command. The north wind brought Sir H. Burrard; the south wind, two days later, brought Sir H. Dalrymple. Dalrymple and Burrard were both Wellesley's seniors. Burrard actually arrived on the eve of the battle; and, though he allowed Wellesley to carry out his own dispositions, he stopped the pursuit of the enemy at the close of the day. Junot made overtures for a convention. Dalrymple, who by this time had superseded Burrard, just as Burrard had superseded Wellesley, in a weak hour listened to them. The convention of Cintra was signed; the French army was allowed to evacuate Portugal; and England was deprived of the advantages she had hoped to gain from her first great victory on the Continent.

Perceval was in London when the news arrived; Canning was passing his vacation at Hinckley. Perceval wrote to him; and Canning, in the first instance, hardly knew what to do. On the one hand, he could not 'swallow the article of property to be carried off by the French army. What *property* can they have but plunder?' On the other hand, 'There can be no doubt that we ought to take this as a great event, and accordingly I

am about to make the bellringers here drunk—they cannot ring worse after that encouragement than they have been doing of their own account.' His doubts were partially explained by a fuller letter he wrote the next day:—[1]

'I had been placed, as I believe I told you, in a most perplexing situation by the arrival of the news by the mail a couple of hours before my messenger thought proper to make his appearance. The news, as reported *by the guard*, was all glorious, and the place was in an uproar, bells ringing and mobs shouting, before I had the means of confirming or qualifying one word of what they all took for certain. When your note came, I hardly knew what to do. However, upon the whole I thought it much better to do as little as I could. The Hinckleyans are not very likely to enter into nice distinctions, and the surrender of a fleet and an army was reasonable ground enough for making a noise. And upon the whole, though a few hours' reflection has shown me all the disgrace and disaster of this transaction, (or at least enough to make me regret it as sincerely as I ever regretted any public transaction that I remember—*all* I will not say I yet see), I yet think that you did right to fire the guns, because *not* to have done so would have precluded all fair judgment and explanation.

'But, having said this, I think that there is not the least chance or probability of the transaction turning out to be such as we can approve. And, if we do disapprove of it, I cannot foresee any circumstances which could reconcile me to our omitting to mark our disapprobation of it in the strongest manner.

'I am sure that it is a case in which compromise will not do. I stood nearly alone last winter in my opinion that Lord Gambier ought to have been seriously censured for his scandalous mismanagement of the Baltic fleet after the affair of Copenhagen. It was thought better to hush the

[1] Canning to Perceval, 16th Sept. 1808.

matter up; and the general good-will towards us, or rather the ill-will towards our opponents, and their mismanagement of their game in Parliament, saved us a question upon the losses sustained by British trade, which might otherwise have overturned us. We are not to look for any such management of our feelings or popularity now. This convention must be distinctly *ours*, or our commanders. We must judge them, or the public will judge us. And, I confess, unless there are circumstances to come out, of which I can form no conjecture, I shall not be prepared to consent to take an atom of the responsibility for this work upon our own shoulders.

'The mischief to result from it appears from every point of view, and from every quarter of the world.

'Portugal (as I said yesterday) must hate us for the article giving up their plunder. Instead of hailing us as deliverers, they must consider us as having interfered only to sanction and secure French robbery. By no other probable combination of circumstances could the French not only have kept what they had stolen, but have carried it out of the country unmolested. I should imagine the Portuguese themselves will rise against the execution of this article, and attempt themselves to seize their property before the embarkation of the French troops. What are we to do in this case? To cut down our allies—the protected Portuguese—in order to save their spoils to the plunderers? It makes one sick with shame to think of it. And in what country after this—in what part of Italy, of Spain, or the North, shall we be received with open arms as deliverers? When it is said that the French are to be sent back to France, I take it for granted that we are to find transports at our expense to carry them back; yet, with respect to the Russian sailors, this *must* necessarily be so, I am afraid. And if with respect to the French too (which God forbid!), could the malice of all our enemies combined suggest a more shameful and ridiculous exhibition, a more degrading caricature of our maritime power

than to see it employed in the transport of seventeen or eighteen thousand enemies—half to fight against Spain, and half to fight against the King of Sweden?

'Oh! how our allies must curse our seafaring faculties, without which they would each of them have had at least eight or nine thousand fewer enemies to contend with.

'And then poor Castlereagh, too, who has been working night and day to get transports to convey our troops to the scene of action; who will have to plead (and most truly) that all his exertions (and no man ever made greater) were inadequate to enable him to do all that he wished—to send, for instance, the cavalry, which would have made Wellesley's victories victories of extermination—he is all at once to find tonnage for this precious freight, for which I suppose our own expeditions must stand still.

'Then—but even that is a minor consideration—with what face are we to persist in our instructions to Lord Collingwood respecting the transport of Dupont's army? What are we to say to the Spaniards? What are we to say to Sweden? One thing we *must* say to Sweden, that we will hold an army of 10,000 men at her disposal, for it will be monstrous to set 8000 men upon her without any aid on our part to counterbalance the pressure.

'In short, in whatever way one looks at this unfortunate business, there is nothing but discredit and mischief to be seen in it. I still think Cotton meritorious, for I have no doubt that he saved us from the *utter* ruin of the *original* convention, though even that would perhaps have been better, for *that* we *certainly* would have *broken*.

'Of this I feel more doubtful; but as yet I am in perfect ignorance of anything but what your note has told me.

'If it were yet possible to replace things as they were before the Convention was signed, I should have no hesitation in doing so, rather than consent to the endless detailed disgrace which we have to undergo in the execution of it.'

In the evening of the same day he wrote still more strongly :—

'Since I wrote to you this morning I have received the extraordinary "Gazette," and I confess that it is even worse than my expectations. The substance, to be sure, I could not expect to be different; but I did not think that I should find every *sore place* touched in the coarsest manner, and all the shameful parts of the transaction brought forward with such studious and laboured particularity. That British officers should have signed and approved such a paper is most grievous; but they *cannot* have had any hand in its composition. The pen must have been held by a Frenchman, and by one who was determined to use his advantage with the most unsparing triumph. For the tone of France is triumphant and dictatorial throughout; and England never speaks except to promise a baseness, to undertake a burdensome obligation, or to sacrifice her allies.

'Wherever I had found an expression in your note of yesterday to hang a little hope upon, I find myself disappointed. The article about the private property of the French army is too carefully guarded to admit of any mistake or misconstruction. No, no! there is no loophole for what may be "*recognised.*" The French soldier may sell the plate, that he stole from the loyal Portuguese, to a known traitor before the loyal man's face; and the traitor's sideboard may display it ever after with the British army for the guarantee of the transaction! and we went there as allies! Traitors of all descriptions, who have contributed to the enslavement of their country, and shared in its plunder, may take their choice, either to carry off what they have stolen,[1] or to remain rioting in it at home in defiance of its owners, and in contempt of their Prince's lawful government; and this too guaranteed by a British army!

[1] Note in Perceval's handwriting :—'Surely this cannot be. If capable of proof.'

'What right had the British army to stipulate for the impunity of traitors?[1] *Why was not the commander of the Portuguese troops called in to consider of this stipulation?* Depend upon it we shall be detested and despised, not in Portugal only, but all over Europe, for this most unwarrantable concession. Every nation will feel—and it is the undeniable truth if this convention should be approved—if it should not be loudly and unequivocally scouted at home—that there is no protection in British friendship—that there is no comparison between the efficacy of French and British alliance—that the beaten French are enabled to make terms for their adherents, by which *they* in all countries may play in velvet; whereas they too well know that, if England had been the evacuating party, the vengeance of France would not have been warded off from the partisans of England.

'Struggling, as the two nations are, in the eyes of Europe against each other, this single trait is enough to decide the preponderance. I would not myself, if I were a rascally Portuguese, or Prussian, or Dutchman, hesitate one moment to prefer the French—under all its present disadvantages—as the safer side, upon this single article only. Or, if I wanted any further motive, I should only have to look to the next article, which relates to the Spanish troops detained in Lisbon, to make up my mind completely. We bind ourselves to obtain from the Spaniards the release of *civil* prisoners detained in Spain in consequence of civil tumults. We, who have been fighting the question of the exchange of troops against civil prisoners this whole war! Who have now hundreds of our countrymen languishing in France because we will not release military for civil persons, but who have not had the spirit to detain civil persons in return! We interfere to help the French in getting this obnoxious principle acknowledged; and to take out of the hands of the Spaniards—who *have* had the spirit to deal with the French in their own way—a number of hostages (for such they *were*)

[1] Note in Perceval's handwriting:—'This might well be one of the points on which the King should be satisfied.'

for the release of civil persons detained in France! We agree to obtain of the Spaniards the release of these civil rioters! But suppose the Spaniards will not give them up? I hope they will not—not a man of them. What are we to do then? to send back the Spanish troops to France? or to endeavour to force the Spaniards to compliance? Pleasant allies to the Spaniards we are too! and well this engagement will square with our grand protest against the right to bind us by Dupont's convention.

'It is sickening to examine this calamitous instrument any further. Every word seems to have been weighed with a view to making it as mortifying as possible. The stipulation on our part for the security of our transports from French capture is harmless; but perhaps it is as base, as unnecessarily humiliating, as any indifferent thing could be. They will not be taken the more nor the less.

'If the better opinion is that the thing must be executed, I cannot help it. But a Government cannot be so utterly helpless as to be obliged to submit to be dragged through the dirt by the acts of its officers. There must at least be some means of showing that we are not parties to it; that we disclaim and abjure it. Otherwise by this expedition to the Tagus, in return for the lease (a repairing lease I suppose) of nine Russian hulks, we shall have lost Portugal, Spain, Sweden, and our character.'

The Cabinet met. They objected, at least as much as Canning, to 'the *thing*' to which their officers had committed them; but their disapproval took a different form. Canning was so occupied with lamentations on the past that he had no hope, no thought for the future. Castlereagh only saw, in the disgrace of the convention, a fresh incentive to new exertions. Perceval, it is plain from the following letter from Lord Castlereagh, took the same view. The letter is only dated Sunday even-

ing, but there is internal evidence to prove that it was written on Sunday the 27th September, or ten days after the date of the last letter from Canning.

'*St. James's Square,*
'*Sunday Evening.*

'Dear Perceval,—Many thanks for your letters and their enclosures, which I return. I had one to the same effect from Canning, stating his opinion that our draft, as settled at our last Cabinet, was in his judgment too like an approval. I am sure that I do not wonder that Canning, in his turn, should have the hot as well as the cold fit of this desperate ague which has visited us all so lamentably; but I quite agree with you that we ought to deal with the past, now that it is irrevocable, only as it bears upon our future means of rendering service; and that in that sense we ought well to weigh how we can best save, together with our own character and that of the country, *the instrument*, which of all others seems capable, if we can rally round him the requisite amount of support, of consoling us and the world for any faults which he himself or others have committed.[1] In this view I quite agree with you that we can only justify ourselves to Spain by *increased* and *accelerated* exertions, and I follow all your reasoning *as to the mode.* I had despatched Dalrymple last night with our draft as amended yesterday. It appeared to me, however, and to Mulgrave, that a good understanding amongst ourselves was much more important

[1] Castlereagh was not so clear a writer as Canning; and it is not very easy to say who he means by the instrument. The words which immediately follow would almost imply that he was referring to the King; but the mention of faults committed makes that suggestion impossible. On the whole it is fair, therefore, to infer that Perceval and he had recognised Sir A. Wellesley's abilities, and were anxious to shelter him from the consequences of having been a party to the convention.

than the communication of our decision to Dalrymple a few hours sooner. I have by telegraph ordered him not to sail without further orders. Canning will be in town to-morrow evening; and, if he wishes to have the point reconsidered, a portion of Tuesday must be allotted to that purpose, though I much lament that it is not wholly applicable to prospective exertions.

'Canning seems prepared to break the whole agreement, rather than permit any *admitted* or *alleged* plunder to pass. Turn our rights in this respect in your mind. He also is desirous of an avowed disapproval, in the first instance, of Articles 16, 17, and 18, of the Definitive Convention. I see much less difficulty in this disapproval to any extent; and the proceeding against our own officers, in any way we think fit, can only be a question of expediency and individual justice; but can we go the length of saying that these stipulations were beyond the mere competence of the conqueror: the legitimate object of his conquest being the restoration of the country to its own sovereign, in as short a time and in as perfect a manner as was consistent with the *best means* of doing so? Not defending the means, I should doubt the soundness of them as a principle.

'Yours very truly,

'C.'

Very much in accordance with the opinion expressed in this letter, the Ministry adopted two courses: they appointed a Board of General Officers to investigate the subject; and they decided on at once sending a new expedition to the Peninsula. The Court of Inquiry met at Chelsea, and, after some deliberation, agreed on a Report which practically whitewashed all the generals. The expedition was intrusted to an officer, who had not been engaged at Vimeira, but whose reputation was

already high. This commander, Sir John Moore, was directed to advance into the heart of the country, and co-operate with the Spaniards for the expulsion of the French. Various opinions were entertained in this country, both of the expediency of the movement and of the qualifications of Moore himself for the command of it. The General was personally opposed to the plan, and protested against it. Canning seems to have concluded from the protest, not that the expedition was in itself unwise, but that Moore was unfitted for the command of it. Strong words passed between him and Castlereagh. The two ministers had already differed on the course which the Convention of Cintra necessitated. Their differences became wider now. 'Good God!' said Canning, 'do you mean that you allowed a man holding such views to go out in command of the expedition?' It was well known in political circles that Canning was dissatisfied: his dissatisfaction was even commented on by the leaders of the Opposition.

Moore's expedition, it is well known, resulted in a disastrous retreat and a glorious victory. The battle of Corunna was fought on the 16th January. Parliament met on the 19th: the circumstances of Moore's retreat were already known; the news of the triumph, with which it had been concluded, had not reached England. The meeting itself had been postponed for a few days. Parliament had been summoned for the Monday, and Wilberforce wrote

to Perceval to remind him that, if it met on that day, the members would be tempted to break the Sabbath by Sunday travelling.

'I thank you for your note of yesterday,' was Perceval's reply on the 10th January, 'and am really sorry that I have given occasion for it. I feel myself the more to blame because, upon the receipt of your note, it brought back to my recollection (what till then I had forgot) some observations which the Speaker made to me some time ago on the same subject. If they had been present to my mind when we settled the meeting of Parliament, I would not have fixed it on Monday. We were, however, almost driven into that day. . . . . Notwithstanding all these considerations, however, if I had thought, as I ought to have done, of the Sunday travelling which the meeting on the Monday will too probably occasion, I would have preferred meeting on the Friday in the Sessions week, with all its inconveniences. You have the whole state of the case before you. I am open to your judgment—*habes confitentem*—for inadvertence is certainly never felt by me as an excuse.'

Wilberforce seems to have persevered. Perceval yielded. 'The House,' writes the former in his Diary, 'nobly put off by Perceval, because of the Sunday travelling it would have occasioned.'[1]

The King's Speech, as originally drawn, 'mentioned the Convention with strong expressions of disapprobation of its character and stipulations.'[2] 'The manner of speaking of the Convention appeared,' however, so likely to 'produce warm and troublesome discussion,' that, at the last moment, the draft was altered, and the disapprobation con-

[1] Diary, iii. 397 and 398. [2] Colchester, ii. 163.

fined to some of the articles of the treaty. The opposition, however, was not averted by the change. Ponsonby attacked the Ministry in a long speech, and threatened further proceedings; and on the 21st Feb. Lord H. Petty rose to move a vote of censure on the ministers for their misconduct of the matter.

The line which Lord H. Petty took is probably familiar to most readers. The Convention, he argued, had 'disappointed the hopes and expectations of the country;' but the Convention was forced on the generals by the inadequate preparations which had been made for the expedition. Our troops were insufficiently provided with artillery and cavalry; they were consequently unable to follow up the victory they had gained; and, from sheer inability to complete their success, they were driven to make the best terms with Junot that were available. The whole blame of the Convention rested, then, with those who had limited the cavalry at Sir A. Wellesley's disposal to seven hundred men. The debate was chiefly remarkable from the fact that Sir A. Wellesley himself took part in it, and gave the best reply to Lord H. Petty's strictures by insisting that the victory might have been followed up with advantage. As Perceval himself subsequently put it, 'How could Ministers be blamed for not providing means for carrying a campaign to a satisfactory issue, when it was acknowledged that, if the opinion of one general who commanded in the battle had been followed, it would have terminated so gloriously to

the British arms?' The House adopted the same view: the Ministry obtained a majority of 203 to 153 votes.[1]

The discussion, which had thus taken place, had been necessarily postponed in consequence of the protracted, and happily unexampled, inquiry on which the House had been almost continuously engaged.

Mr. Gwyllym Lloyd Wardle was a Welsh gentleman, a colonel of militia, and a member of Parliament. He had begun life as a strong Tory, and had been distinguished by the zeal with which he had offered the services of his Welsh militiamen to put down the Irish Rebellion. But an acquaintance with Sir Francis Burdett and other members of the Opposition had induced the gallant Welshman to reconsider his original opinions. He had become what we should term now an extreme Radical, and, like most converts, was anxious by his conduct to display his zeal for his new faith. Peculiar circumstances enabled him to do so. Wardle had married a very rich lady, and had been returned to Parliament in 1807 for the borough of Okehampton. 'He was now living in very splendid style, and spending his wife's fortune with proportionate rapidity.'[2] To aid him in this task he had formed an acquaintance with a very clever, but a very immoral woman, Mrs.

[1] Parl. Hist. xii. 897-971.

[2] Pict. Hist. book iii. p. 364. I am indebted to this work for the preceding details.

Mary Ann Clarke. This lady was the daughter of a Mr. Farquhar, and had been married, in the last decade of the preceding century, to a man named Clarke, the son of a Kettering builder, who at the time of the marriage was, to use her own words, 'nothing—but a man;' and who subsequently worked as a mason in Hoxton and in Golden Square. Clarke seems to have lived with her for some years, and to have had by her three children. In the course of 1798, either four or five years after the date of their marriage, Mrs. Clarke left Golden Square, and went to reside, on her own account, in Tavistock Place. Either there, or, as she herself affirmed, previously, she became acquainted with the Duke of York. She lived with His Royal Highness, if her own account may be trusted, in Park Lane. Towards the commencement of 1804, he provided her with a separate establishment of her own in Gloucester Place. The Gloucester Place establishment was maintained in great magnificence. Mrs. Clarke's plate alone cost her upwards of 2000*l.*; and, though the Duke only nominally allowed her 1000*l.* a-year, it was proved that, in one way or another, he spent on her house, her furniture, her wine, and her allowance, some 20,000*l.* in two years and a half. Mrs. Clarke, however, was extravagant; she was continually in debt, and constantly embarrassed by her creditors. Much of the 20,000*l.* which the Duke had spent on her had gone to redeem the bills which she had floated, and the jewelry which she had

pledged. Under these circumstances she hit upon a happily unexampled expedient for raising money. Her influence, she gave out, was all-powerful with the Duke; the royal road to promotion lay through Gloucester Place; the surest way to obtain professional advancement was to fee Mrs. Clarke. The impudent story obtained credit: Mrs. Clarke's drawing-room was besieged with persons of all ranks and classes, who desired preferment for themselves or their relatives. Reverend gentlemen, who desired to preach before His Majesty, were not ashamed to apply to the Duke of York's mistress. When such practices were in fashion in the Church, we can hardly wonder at the corruption which went on in the army.

In the course of 1805, Mrs. Clarke's husband, however, appeared on the scene. He had the impudence to threaten the Duke of York with an action for *crim. con.* The Duke consulted Mr. Adam, and Mr. Adam in his turn made inquiries about Mrs. Clarke. The lawyer learned enough, in these investigations, to induce him to warn the Duke against his witty mistress. Mrs. Clarke's conduct had not been as correct as it might have been; it compromised the Duke's "interest, and his name with regard to money." But the Duke was unwilling to listen to any story against his mistress. Adam had to renew the investigation before he could induce His Royal Highness to part from her. When he separated himself from her in the course of 1807, he agreed to

settle on her a pension of 400*l.* a-year. Mrs. Clarke's business was in a fair way of being irretrievably ruined. But she had the uncommon audacity to intimate that she had the same kind of influence with the Duke of Portland which she had formerly exercised with the Duke of York. Beneficed clergymen offered her large sums of money for deaneries, which she professed herself able to obtain. She, in the meanwhile, had formed a new connexion. A man named Dowler had given her some years previously 1000*l.* for a situation in the Commissariat. Mr. Dowler was now her most favoured lover. She passed, in the course of 1807, as his wife at a lodging-house in Hampstead, and at an hotel in St. Martin's Lane. Such had been the history of this intriguing and impudent woman. The Duke of York had made the annuity dependent on Mrs. Clarke's good behaviour. There cannot, therefore, be much surprise that in the course of 1808 he should have discontinued the allowance which he had agreed to make her. Mrs. Clarke immediately threatened His Royal Highness with exposure. The acquaintance which she formed with Wardle enabled her to put her threat into execution.

Wardle was probably a ready listener to the tale which Mrs. Clarke had to tell. So much of it was undoubtedly true that a less gullible person might have been excused for accepting the whole of it. There was no doubt that Mrs. Clarke had received large sums of money from various officers; there was

no doubt that, in certain instances, these officers had obtained the promotion they desired. Here were a cause and effect ready made. What was easier than to suggest that the one had been due to the other: that the Duke of York was privy to his mistress's corrupt transactions? Wardle was now in even greater favour than Dowler. A row of new houses had lately been erected to connect the old suburban town of Chelsea with the palatial residences which were being constructed north and south of the King's Road, in what is now known as Eaton Square. The row had been called after the little brook which, in finding its way to the Thames, crossed the spot, Westbourne Place. Mrs. Clarke had moved from Gloucester Place into one of these houses. Her credit was so low that she was unable to pay for the necessary furniture. Wardle undertook to pay for it, while she in her turn promised to supply him with materials for the investigation.

On the 27th January, everything was ready. Wardle moved in the House for the appointment of a committee to investigate the charges which he detailed. The Secretary-at-War, speaking for the Commander-in-Chief, assented to the inquiry. Yorke suggested that a parliamentary commission, with large powers, should be appointed to undertake it. Adam, who had been His Royal Highness's chief adviser, insisted 'on a public investigation before the world at the bar of the house.' Perceval at once endorsed Adam's view. Canning and Whitbread subsequently

took the same line, and the House unanimously assented to this particular method.

On the following Wednesday, the inquiry commenced. For more than three weeks the House was almost entirely occupied with the examination of witnesses. After an interval of a fortnight, during which the evidence was being printed, ten days more were devoted to the longest debate which has probably ever taken place in any Legislature. Wardle made his original charge on the 27th January. The final decision took place on the 20th March. During the whole of that period the House was occupied with investigating the audacious tale of a lying woman. During the whole of that period the business of the nation was practically at a standstill.

The scene which the House presented during these seven weeks was as extraordinary as it was unfortunate. At the end of January there was a strong sympathy for the Duke of York. His Royal Highness was the second son of the King. He was a married man. He had been entrusted with the command of the most important expedition that had yet sailed from this country to the Continent. He had been for more than fourteen years Commander-in-Chief of the British army. Whatever judgment might be formed of his capacity as a general in the field, there was only one opinion of his qualifications for his present office. His Royal Highness had introduced many salutary reforms into the army. He had promoted the comfort of the private soldier, encouraged army education, and framed regulations with

the express object of preventing the very corruption in which it was now said that he had himself participated. But, as the inquiry wore on, the sympathy which had originally been felt for the Duke, was transferred to his accuser. Mrs. Clarke was examined for the first time on the 1st of February. The House was captivated with her pretty face and ready wit. 'House,' wrote Wilberforce in his Diary, 'examining Mrs. Clarke for two hours. Cross-examining her in the Old Bailey way; she, elegantly dressed, consummately impudent, and very clever. Colonel Gordon's evidence would have been sufficient, and I would not have asked one question of Mrs. Clarke.'[1] But the House kept examining Mrs. Clarke for many days. She was recalled once on the 7th, twice on the 9th, once on the 10th, once on the 13th, twice on the 15th, three times on the 16th, and once on the 22nd February. On the 7th, when she pleaded exhaustion, the House at once adjourned, though it was evident that their adjournment would afford her an opportunity for conferring with a witness whose evidence had just been given, and which she had not heard. On the 9th, when she displayed agitation, the whole House called out for a chair for her. On the 10th, when Perceval insisted that in any other place her 'attempt to evade, and trifle, and shuffle,' would have led to her committal for contempt, General Matthew gravely suggested that such a manner of treating a witness 'was a violation of the liberty of the subject;' and the House apparently was with the woman, and

[1] Parl. Hist.

not with the minister. In short, the sympathy was so marked that Wilberforce admitted that it did some good, as, 'by fascinating the House, she prevented its degradation, by appearing to stifle the inquiries, and take too strong a part with the Duke of York.'

The chief charges which the House investigated were founded on Captain Tonyn's promotion to a majority, Colonel Brooke's exchange, Colonel Shaw's appointment to the staff, her own footboy's to a first commission, and Colonel French's levy. Captain Tonyn it was proved gave her 500*l.*; but his name had been selected for a majority before the date on which she alleged that she had applied for him. Colonel Brooke had given her 100*l.* for an exchange with Colonel Knight; but it was proved that the exchange had followed the ordinary course, and that she had herself begged that the fact of her receiving money for it might not be communicated to the Duke. Colonel Shaw had given her 500*l.* for an appointment on the staff; but it was proved that, so far from being successful in his application, the Duke had refused to accede to it in its entirety. The cases, however, which perhaps elicited most attention were those of the footboy's appointment, and of Colonel French's levy. Mrs. Clarke had in her house in Gloucester Place an orphan boy, Samuel Carter, who, though he wore no livery and received no wages, was occasionally employed to go out with her carriage or wait at her table. He

had been introduced to her as the orphan of an officer who had lost his life in the service of his country; and her patronage of him, it is only fair to say, apparently arose from feelings of pure humanity. The boy had been mentioned to the Duke of York before His Royal Highness's intimacy with Mrs. Clarke began. He had been reminded of the application when he saw the boy in his mistress's house, and he had consented to give him a commission in the army. The Duke of York had the satisfaction of knowing that his kindness was not misplaced. The boy had already won the esteem of his superior officers; and his good conduct had gained him, without any favourite's interference, an appointment on the staff in the West Indies. 'I would appeal,' said Perceval, 'to the feelings of the House and the country, whether an act like this is to be imputed to the Duke of York as a crime! If a man is to be punished for his vices it may be well; but let him not be punished for his virtues.'[1]

The case of Colonel French's levy was widely different. Colonel French had received a letter of service in the ordinary way, authorising him to raise recruits for the army. The levy had been a failure. Each man it brought in cost the country on an average 150*l.*; and the scandal attendant on it was consequently so great that the Duke was compelled to

[1] I have instanced this case because the author of the 'Pictorial History,' to whose admirable account of these proceedings I am much indebted, seems to have thought that Mrs. Clarke's footboy was an improper person for a commission.

stop it. But, if the levy in a public sense had failed, Mrs. Clarke had at any rate made a good thing out of it. Colonel French had given her from first to last 1300*l.* on account of her supposed interference with the Duke in his favour; and the Duke, it was alleged, was aware of the transaction. A certain Miss Taylor, the illegitimate daughter of one Chance, a disreputable stockbroker, was a warm friend of Mrs. Clarke's. Miss Taylor swore that she had heard her friend complain to the Duke that Colonel French was always bothering her about the levy, and that the Duke had replied, 'How does he behave to you, darling?' Mrs. Clarke answered, 'Middling—not very well;' on which the Duke rejoined, 'Master French must mind what he is about, or I shall cut up him and his levy too.'

The House laughed at the conversation; the country laughed at it. 'The joke in the streets,' wrote the Speaker, 'is not to cry heads and tails when they toss up half-pence, but Duke and darling.'[1] Yet the conversation itself was improbable. Miss Taylor's character detracted from her credibility as a witness. She swore that her father's name was Taylor; and it was proved that her father's name was Chance. She kept a boarding-school for young ladies, and her chief

[1] Colchester, ii. 174. The Speaker clearly ought to have written Heads *or* Tails, Duke *or* Darling. His editor, too, writes always Jenyn for Tonyn, Trench for French, Dawler for Dowler. He has, however, preserved a capital parody on Horace's Ode to Barine on the subject.

friend was the Duke of York's mistress. When Perceval brought out these facts, there was some disposition to resent his questions. The House seems to have thought that he was harsh to her; they complained that the revelations had destroyed her school. Perceval's reply on this point is a fair instance of the masterly manner in which he dealt with the whole subject: 'Sir, Miss Taylor was brought here as a witness whose testimony was to confirm Mrs. Clarke, and to establish—falsely establish, as on my conscience I believe—the charge of infamous corruption against the Duke of York. It was necessary to know who Miss Taylor was; what were her connexions; what her habits of life. In tracing these particulars it turned out that her parents were not married; that they had for some time been going from place to place changing their habitations; . . . But this cross-examination has ruined her school, and involved her with her creditors! I am sorry, and I feel as much as any man for the distress of any fellow-creature—Miss Taylor, as well as any one else. But I cannot believe that her cross-examination ruined her school. It was enough to ruin her school that she appeared as the friend and companion of Mrs. Clarke. And I confess that I cannot bring my mind to lament that Miss Taylor's business, as a school-mistress to young ladies, is put an end to. I have some feeling for the parents. I have some feeling for the children. My feelings are not wholly absorbed by Miss Taylor.'

At length, on the 22nd February, the last witness was examined. Three days before Lord Melville had sent the Duke of Portland a very remarkable letter and proposal on the subject. The impossibility of 'any person being an indifferent spectator of the proceedings which are going on in the House of Commons;' 'the long habits of confidential intimacy in which' he had 'lived with His Royal Highness;' his 'anxiety from not being enabled to form a conjecture what line of conduct is meant to be adopted by His Majesty's servants on the occasion,' induced him to forward to the Duke of Portland 'the rough sketch of a very crude idea' 'last night committed to paper.'

The crude idea was a draft address. 'The two first paragraphs contained the judgment of the House of Commons upon the substance of the charges which have been brought against the Duke of York.' . . . . 'If the address were to stop here, it could not with strict propriety be objected against their proceedings that the House of Commons had not exhausted the subject of the only charges exhibited before them against the Duke of York; but, strongly impressed as I am with this conviction, that, if the House of Commons were totally to overlook and be silent upon the other disagreeable circumstances which have come out in the course of this investigation, it would diminish in the estimation of the great body of the public the weight of their authority in the decision they pronounced in favour of the

Duke of York upon the charges exhibited against him in his official capacity, it appears to me highly expedient, if not essentially necessary, that the House should anticipate the feelings of the country, and should stamp with their authority the full extent to which they conceive those feelings are warranted to go upon this collateral circumstance, which has unfortunately blended itself with the other parts of this investigation. It therefore occurs to me to be prudent on the part of the House rather, in the manner I have attempted to do it, to anticipate the decision of the public, than to leave the consideration quite open to the speculation of every individual, wrought upon, perhaps, by the wicked and designing instruments of mischief.'

In accordance with this opinion, Lord Melville proposed that the Address should conclude with a paragraph that the 'faithful Commons feel it an indispensable duty, which they owe to His Majesty, to state that the charges brought against His Royal Highness the Duke of York, and the unpleasant circumstances attending them, have originated from an unfortunate and unworthy connexion which His Royal Highness had permitted himself to form with one of the material witnesses above described, and who seems to have availed herself of her intimacy with His Royal Highness to have converted it to the most nefarious and corrupt practices; and it is the earnest prayer of His Majesty's faithful Commons that the circumstances

of the unfortunate transaction may produce the salutary effect of convincing all the branches of His Majesty's illustrious family that nothing can conduce so much to the prosperity of His Majesty's reign and the welfare of his people, as that those nearly connected with the throne should exhibit in their own persons the same bright examples of decorous and regular conduct which has characterised His Majesty's reign; and with heartfelt satisfaction His Majesty's faithful Commons can express their conviction that such a line of conduct has not only tended essentially to endear His Majesty in the hearts of his subjects, but has in critical and arduous moments essentially contributed to the security of that happy constitution under which the nation enjoys so many invaluable privileges and so many important blessings.'

'It is scarcely necessary to observe,' wrote Lord Melville, 'that, if the concluding paragraph of this Address were in any shape to be carried to the throne, it could not lead to any beneficial consequences, unless His Majesty shall be advised, and will determine, to act up to the spirit of the admonition contained in the expressions which are adopted in this sketch of an address.

'The Princess of Wales must no longer reside in any other apartments than those which belong to her in Carlton House.

'The public must never again hear of a Mrs. Clarke or . . . .'[1]

* * * *

The Duke of Portland sent Lord Melville's letter

[1] Perceval Papers.

to Perceval. Perceval had been just engaged in drawing up a draft letter for the Duke of York to send to the Speaker; and he circulated Lord Melville's paper and his own draft together, expressing at the same time a conviction that Lord Melville's hint was most valuable. Lord Liverpool very much approved Lord Melville's suggestion. Lord Castlereagh agreed with Lord Liverpool; and the Duke of Portland thought the hints thrown out by Lord Melville highly valuable and worthy of being adopted. The proposal was in a fair way of being adopted, when it reached Lord Mulgrave, who, 'with great hesitation,' happily arrived at a different conclusion. If the suggestion were adopted, 'it will be necessary that an immediate and unequivocal pledge of the compliance of every branch of the royal family, with the conditions annexed by Lord Melville to the adoption of his plan, should be secured; for, should those conditions fail, the House of Commons would have been urged to a solemn but fruitless charge against the whole body of the royal family; the public murmurs would then be sanctioned and inflamed by the deliberate and formal declaration of the popular branch of the constitution, conveyed in a direct and indiscriminate complaint to the sovereign. . . . Such an imputation, conveyed by the Commons of the United Kingdom, without an immediate, exemplary, and steady reform of conduct, would authorise clamour and discontent, and extend to the mass of the people in the most

distant quarters of the empire, where the impression may have been yet but slightly if at all received of the scandal arising here.'[1]

Lord Mulgrave's most sensible advice was happily adopted; and Lord Melville's proposal negatived. The Duke of York's letter met with a somewhat similar reception. The Cabinet thought it too long; the Duke thought it too humiliating. It became—as the Speaker, who had seen the original draft, said—'very much shorter, and less explicit.'[2] In its amended shape it expressed the Duke's concern that his 'name had been coupled with transactions the most criminal and disgraceful,' and his regret that 'a connexion should have ever existed which has thus exposed my character and honour to public animadversion;' and it denied, 'upon my honour as a prince,' not only 'all corrupt participation in any of the infamous transactions which have appeared in evidence at the bar of the House of Commons, or any connivance at their existence, but also the slightest knowledge or suspicion that they existed at all.'

The rejection of Lord Melville's proposal at the close of February necessitated, of course, the adoption of some other course. Perceval prepared two draft resolutions, asserting that the charges had not been proved, and a draft address, presenting the resolutions to the King. Canning thought, at first, that the 'measure had best be confined to resolutions *or* address—address comprising the substance

[1] Perceval Papers. [2] Colchester, ii. 168.

of the resolutions—*or* resolutions to be merely submitted with an address;' but he ultimately altered this opinion.

The Cabinet met on the following day, and approved substantially the proposal. Four days later, however, Canning reviewed the whole procedure in a letter, which is of such importance that it must be given in full:—

'*Bruton Street,*
'*Sunday, March* 5, 1809.

'Dear Perceval,—In returning to you the draft, which I have looked through according to your desire, I cannot forbear wishing to state to you, a little more in detail than I have hitherto had the opportunity of doing, my view of the whole of this painful subject, and of the situation in which it places the Government. I have willingly lent my aid to make the measure, which it was determined to try, as unexceptionable as possible; and I am quite as ready to use my utmost personal exertion, and risk myself altogether upon it in Parliament, as if I approved of it and expected it to succeed. But I do neither expect its success, nor do I think its success would be at all less fatal to the Government and to the country than its failure.

'I think we have taken a wrong course, or rather (to speak more correctly) I think a wrong course has been taken; for, once engaged, I do not see how *we* could help ourselves, without either abandoning, or appearing to abandon, the King—which God forbid! But I think we have been forced into a course the most dangerous for the peace of the country, and the most impolitic for the Duke of York himself.

'What is the relation in which we the Government stand to the Duke of York? Has he put his defence into our hands, and therewith the regulation of his conduct with a

view to that defence, also? or, has he only stated his expectation that we shall defend him—but reserving to himself to act as he shall think proper?

'These are questions which we certainly ought to have put to ourselves at a much earlier stage of the business; but there is enough still remaining of it to make it very important that they should be answered. When we discussed the letter to be written by H. R. H. to the Speaker, I certainly thought that we were advising him (perhaps thought so mistakenly); but it is the essence of advice, given by persons *responsible* for giving it, that it should be either accepted or rejected *in toto*. Otherwise there is no safety for the advisers, and will probably be no consistency in the conduct, which is only partially guided by their advice. Yet on Wednesday, at Lord Camden's, I learnt to my great surprise that there were certain things which the Duke of York was determined not to do, *if* advised; and certain other things which he was inclined to *expect* should be advised in certain supposable cases. No matter, for the principle, what these things are. They will occur to your recollection. But are we right, are we justified, as the ministers of the Crown, in shaping our conduct and our advice to the King according to these determinations and expectations?

'My opinion was from the beginning (as you must remember)—I mean *from the time when the letter became necessary*, that H. R. H. had best retire. I thought it the best way to secure him ultimately, where no man wishes more ardently to see him than I do, at the head of the army. I thought that to have added a sentence to his letter, stating that, "though conscious of his innocence, he did not think himself competent to the due discharge of his office while under the stigma of such an accusation, and that he should therefore retire *till he was cleared*," would have been not only not humiliating, but dignified. The policy of that measure appeared to me most evident. It would, I think, have driven Parliament to the alternative of either

proceeding to trial, or of abandoning the charge silently. In the latter case the Duke might have been restored as soon as the Session was over. If there was a third course which his accusers could have attempted it would have been an address of thanks for his removal, and that there could have been no difficulty in resisting. In the meantime, out-of-doors, the effect would have been to tranquillise and propitiate the country; and, in a very few weeks, say by *this* time, the tide of public opinion would have turned in his favour. At the very worst this mode of proceeding would have avoided the convulsion which will infallibly follow a vote of acquittal, carried with a view to keep the Duke in his place.

'The Cabinet thought otherwise upon this subject, and I acquiesced in the decision. But I did by no means understand that decision to be founded in any degree on a notion that the Duke of York *would not* resign, if the Cabinet had thought it right. If I had so understood it, I should undoubtedly have protested against our having any cognisance whatever of the letter.

'It was not, as I said, till Wednesday that I had any apprehension of this sort; and, after such an intimation, it appeared to me quite useless to discuss the question of the Duke of York's conduct any further.

'My opinion as to the expediency of the resignation is not now altered. Were I consulted by the Duke of York as a private friend, I should still advise it (as a Minister I could say nothing and advise nothing), but I confess with much diminished confidence in the efficacy of the step now for avoiding the evils, and producing the good effects, which I should have expected from it.

'But that, in the way in which we are now going, the Duke of York will be turned out of office probably by a vote of the House of Commons,—but most assuredly by the voice of the country,—I have not the smallest doubt. I think it possible we may carry the first resolution; the address—in

exclusion of an address to remove,—*never;*—in addition to it *perhaps;* or with an appendix for removal subjoined to it. With this feeling I confess I a *little* doubt the propriety of mixing the King's name in this address. Ought it to be *so used* and *used up* for the chance,—and so small a chance,—of success? If we fail in this, is not the time near at hand when it may probably be the only stay of the country?

'I have thought it right to explain to you thus openly the whole of my opinions; and I have only to conclude, as I began, with assuring you that they will not abate my endeavours to do the utmost for the success of the course which has been adopted, on Wednesday.

'Yours sincerely.

'G. C.'

Such—in the opinion of, perhaps, the ablest member of the Cabinet—was the prospect of success on Sunday the 5th March. On the following Wednesday, the 8th of March, the debate began. The House was full. 'Wardle opened the debate in a plain, distinct speech of three hours, concluding with an address for the removal of the Duke of York.' . . . 'Folkestone followed in a clear and powerful speech of two hours and three-quarters; on the other side Curwen, for the address, half an hour. At a quarter before twelve Perceval rose, and, after a masterly speech of three hours—calling upon the House to pronounce an express verdict of guilty or not guilty upon the charges of personal corruption or connivance at the corrupt practices of others, and demonstrating the prevaricating falsehoods which discredited Mrs. Clarke's evidence, and refuting

each of the specific charges—stated the three separate motions which he meant to propose instead of Wardle's address :—

'1. That this House will give a distinct opinion upon the corruption charged.

'2. That this House is of opinion that the charge is not proved.

'3. To address the King, communicating this last resolution, and stating their satisfaction to have observed, in the course of the inquiry, the Duke's exemplary conduct in the discharge of his official duties, and the regret and concern which His Royal Highness has expressed for that connexion and its consequences, which have involved his name in those disgraceful practices, from which they are confident that his future life will demonstrate the value which he sets on that virtuous example of His Majesty which, through his long reign, has endeared him so much to his people.

'The House then loudly called for an adjournment. Perceval stated that he had more to offer in concluding, and would go on or stop as the House pleased. The adjournment of the debate till the next day passed by acclamation.

'N.B. The first instance in my time of adjourning in the middle of a speech.

'9th. House of Commons debate continued. Perceval, Whitbread, and the Attorney-General spoke. Adjourned at half-past three.'[1]

[1] Colchester, ii. 171, 172.

Such was the Speaker's account of what he terms Perceval's masterly speech. The speech was subsequently published from the short-hand writer's notes, and therefore exists in a very different form from that in which Perceval's other speeches have been preserved. It would be impossible to give within reasonable compass any idea of a speech which dissected every portion of the evidence in turn, and discussed the character of nearly every witness. The effect which it made at the time is beyond all question. 'Perceval's speech was a most able one, and does him great credit,' wrote Lord Temple to his father. 'Perceval's capital speech,' wrote Wilberforce, 'softening, yet not quite convincing me.' 'In the speech,' said Whitbread in the House, 'which he concluded this evening, the Chancellor of the Exchequer has surpassed himself. I can with truth say that, in my opinion, a better speech has never been delivered by any living member of the House of Commons. Greatly as I differ from him on the subject now under deliberation, I could not withhold my tribute of applause and admiration to (*sic*) the talents which he has displayed.'[1] Sir Arthur Wellesley said the same thing more concisely: 'We have had,' he wrote to the Duke of Richmond, 'three days' debate upon the Duke of York's concerns. Perceval made the best speech I ever heard in Parliament.'[2]

[1] Hansard Debates, xiii. 159.
[2] Civil Correspondence, 604.

But three days were far from constituting the whole of the time the debate occupied. It was renewed on the 10th, resumed on the following Monday, the 13th, and continued through the 14th and the 15th. Late on that evening, or rather in the small hours of the following morning, the House decided by 294 votes to 199 to proceed by resolution, and not by address. Immediately afterwards they vetoed Wardle's motion by 364 votes to 123, and adjourned at half-past six o'clock on Thursday morning. Long debates and two divisions took place on Friday; and on Monday, the 20th, the weary business was at last concluded. Perceval announced to the House that the Duke had resigned, and that his resignation had been accepted. A motion of Bathurst's 'for a censure upon the immoral connexion and influence was negatived without a division, and amended by a motion of Lord Althorp's to say that, "after His Royal Highness's resignation, it was not *now* necessary to enter into any further consideration of the evidence." To this an amendment was proposed by Cartwright, by leaving out the word "now;" and a division ensued: for keeping it in, 112; for leaving it out, 234. And so the main question passed."[1]

The inquiry, however, which had thus terminated, had revealed a state of things of which few people had probably been previously aware. Mrs. Clarke, it was discovered, was not the only person who

[1] Colchester, ii. 176; Hansard's Debates, xiii. 712, 745.

made a profit out of a traffic in public offices. Mr. Donovan, who had been examined at the bar, expressly stated that he had offered to obtain a writership in the East India Company for a Mr. O'Hara, who in his turn was to pay him some 3000*l.* for his trouble; while some grounds were elicited for believing that public patronage was similarly abused in other departments of the State. Public indignation was aroused; a strong reaction against corruption set in; and politicians busied themselves, not merely in following up the abuses which had been detected, but in unearthing others which had not hitherto been discovered. Perceval himself gave orders for the prosecution of a firm—Messrs. Kyloch, in the City—who it was alleged were openly engaged in the corrupt traffic. On the motion of Mr. Smith the House assented, on the 10th February, to the appointment of a Committee to inquire into the existence of corrupt practices in the patronage of the East India Company; and Lord Folkestone endeavoured to obtain a similar committee for the investigation of the like abuses in the army and other departments of the State. Lord Folkestone's motion was resisted by all parties, and rejected by a very large majority. The Ministers themselves could hardly have adopted any other course, since no good could have resulted from the institution of a vague inquiry into the possibility of abuses which were only suspected to exist; and they themselves were taking the best means for their prevention by

introducing a Bill with this object. Singularly enough the Bill, which was in Perceval's charge, found its chief opponent in Lord Folkestone himself. At one time his Lordship complained that no law would do any good, and that exposure, and not prevention, was in reality required; at another he insisted that the Bill did not go far enough, as it did not deal with the traffic which was carried on in seats in Parliament. Notwithstanding, however, Lord Folkestone's disparaging criticisms, the Bill was carried.[1] But the insinuations which his Lordship had thrown out led to the introduction of another charge. On the 5th May a Mr. Madocks, a friend of Wardle's and Burdett's, brought forward in vague language a charge against Perceval and Castlereagh, 'for having, through the agency of the Hon. H. Wellesley, late Secretary to the Treasury, and late a member of this House, and also by other agents, been guilty of corrupt and criminal practices in order to procure members to be elected into this Parliament,' and moved that 'these charges be heard at the bar' on the following Tuesday. Perceval, 'rising under evident agitation,'[2] said that he had nothing to say to the nothing that had been said, and withdrew.[3] 'A very warm debate ensued: grave indignation was expressed at the impropriety of preferring vague charges against a member, and not specifying them; and the motion, which Madocks

[1] Hansard, xii. 503; xiii. 822; xiv. 47, 113, 268, 573.
[2] Ibid. xiv. 381. [3] Colchester, ii. 181.

wished to withdraw, was negatived without a division. Perceval walked home from church, two days afterwards, with the Speaker. He had seen—he told the Speaker—'Wilberforce, from whom he understood the cases on Madocks' paper to be Rye, Queenborough, Cashel, Hastings, and Cambridge. Of Queenborough he actually knew nothing; of Cambridge he could not conceive what was referred to; Rye and Hastings had always been more or less on the recommendation of the Treasury, which Henry Wellesley might very possibly know about; but about Cashel he remembered a distinct conversation with Quintin Dick, after his objection to vote for the Duke of York's entire acquittal was declared, and that he had pressed Dick nevertheless to continue in Parliament.'[1]

On the 11th May Madocks renewed the charge. He instanced Rye, Queenborough, Hastings, and Cambridge as corrupt places, where Government agents had exercised considerable influence. But Dick's resignation, which he insisted was due to Lord Castlereagh's suggestion, and to which he contended that he could prove that Perceval was privy, was the only express charge which he produced against either minister. The moment Madocks sat down Perceval rose. The motion, he submitted, really pointed to Parliamentary Reform. His own defence he must reserve till the House had determined on the propriety of entertaining the charge. After his

[1] Colchester, i. 182.

speech he made his obeisance to the Speaker, and left the House amidst such general cheering that Madocks must at once have been convinced of the popularity of the minister, and of the little hope of his own success. Lord Castlereagh followed Perceval's example. A hot debate again ensued, in the course of which Tierney endeavoured to separate the two charges, and to induce the House to proceed against Castlereagh, but abandon the case against Perceval, which 'was so vague that he should be ashamed to receive it in its present shape.'[1] But the House had made up its mind to reject the whole motion, and was not, consequently, disposed to be previously at the trouble of amending it. Tierney's amendment was rejected without a division; Madocks' motion by 310 votes to 85.

Though, however, Madocks' motion was summarily disposed of, a much more serious demand arose for parliamentary reform. The report of the East India Patronage Committee had been presented early in March, and had disclosed numerous abuses. Among others it had been discovered that Lord Castlereagh had, four years before, as President of the Board of Control, placed a writership at a friend's—Lord Clancarty's—disposal to enable him to procure a seat in Parliament.[2] Fortunately for Lord Castlereagh,

[1] Hansard, xiv. 486, 527. The Speaker (or his editor) spells Madocks Maddocks; the author of the 'Pictorial History' Madox. I have followed the spelling in Hansard.

[2] Parl. Hist. viii. 370; Hansard, xiv 204.

the transaction was never completed; and, in consequence, when Lord Archibald Hamilton drew attention to the circumstance, the House agreed by a comparatively small majority, 214 votes to 167, to pass to the orders of the day. The transaction and the division attracted so much attention, that Canning, who was already intriguing against his colleague, told the Speaker that he thought Lord Castlereagh ought to have resigned before the last question, and still more since.[1] The Opposition thought the moment favourable for the introduction of a measure of Parliamentary Reform. Curwen's Parliamentary Reform Bill was in reality a measure for preventing the sale of seats in Parliament.[2] Curwen moved for leave to introduce it on the 4th May, and Perceval assented to its introduction. The Bill was read a second time on the 19th May, Perceval again assenting to the principle, though objecting to some of the details. It passed through committee after protracted debates, and ultimately became law.

Such is the short account of Curwen's Bill, which may be found in nearly every history. In this biography, however, it is necessary to enter into more detail. The sale of seats in Parliament was notorious.

[1] Colchester, ii. 180.

[2] Towards the close of the session Burdett introduced a plan of Parliamentary Reform. It was on this occasion that Perceval made the statement that the people 'were more united against Reform than almost upon any other question.' ('Parl. Hist. xiv. 1087)—an assertion which Williams, in his 'Biography of him,' p. 159, states was made in the debate on Curwen's motion.

Curwen proposed to prevent it, 1stly, by requiring an oath from the representatives, as well as from the electors, against bribery and corruption; 2ndly, by the imposition of penalties on persons selling, or contracting to sell, seats in the House; 3rdly, by extending the bribery laws so as to punish agents and other persons for giving, and electors for receiving, corrupt consideration for their votes, not only both immediately before and after the election, but at any period. Curwen was followed by Windham, who opposed the measure on principle, and by Perceval, who assented to its introduction, but necessarily reserved his opinion on its details till he had had the opportunity of seeing it in print.[1] Ten days afterwards, the Speaker wrote in his diary, 'Called on Yorke, by appointment, upon Curwen's Bill for preventing sale of seats in Parliament; and upon Lord Harrowby; both of whom were strongly inclined to agree with me upon the principle of the Bill and its main provisions; but neither liking the proposed test of an oath. Of the ministers for the Bill, are Lord Liverpool, Lord Harrowby, Long, Yorke, Huskisson, and Attorney-General. Against it—Rose, Perceval, Lord Arden, and Lord Castlereagh. Disposed towards it, but not declared, Canning.'[2]

[1] Hansard, xiv. 353, 367, 374.

[2] Colchester, ii. 186.—The Speaker here unconsciously lets us into a good insight of the Ministry of Departments—two parties, in the Cabinet, each taking different sides, and a Prime Minister of so little importance that *his* opinion is not thought worth giving. The list, of course, is neither one of the Cabinet *nor* of

The Bill was read a second time on the 18th May; and, on the subsequent motion that it be committed, Perceval took the opportunity of explaining the nature of his objection to it. He objected to the Bill, because, as it was drawn, it would 'apply not only to the sale of seats, but also to the sale of property or interests which might give influence in the return of members to that House.' If it were to pass no burgage tenures could be sold, nor any property that could carry with it influence at an election.' 'His next objection was to the oath. 'If an oath was to be introduced, it ought to be precise, so that what members were to swear should be precisely known.' Curwen at once admitted the force of these criticisms. 'What the right honourable gentleman said had certainly considerable weight with him. It was never in his intention to destroy the right of disposing of burgage tenure, because that would lead to the destruction of the right to dispose of freeholds. But, when the Bill should come into committee, he hoped that means would be devised to get rid of all the difficulties stated by the right honourable gentleman.'[1] It was fast becoming clear that all parties were sincerely anxious to effect some arrangement. Though a long debate arose on the 19th, and 20th, and 26th May, on the motion

the Ministry. It includes the name of one noble Lord who was in neither. Besides the Duke of Portland, it excludes Lord Eldon, Lord Bathurst, Lord Camden, Lord Westmoreland, Lord Mulgrave, and Lord Chatham.

[1] Colchester, 617.

for the Speaker to leave the chair, and a good deal of intemperate language was used on both sides, there was abundant evidence of the coming end. Canning, on the 19th, came to tell the Speaker of Curwen's readiness to give up the oath and penalties of his Bill, if any enactment could be made to forbid the buying and selling. Rose, on the 20th, called on the Speaker to state that his original apprehensions had much subsided; and that he was very anxious that the amendments which the Speaker had himself suggested should be adopted. Perceval, on the 23rd, returned these amendments to the Speaker in a long explanatory letter, and called upon him subsequently to say that he thought some bill *must* pass.

On the 1st of June, the House was at last in Committee, and the Speaker himself took the unusual course of personally explaining his own views. He objected to the lax language of the Bill as it was drawn; he objected to transfer to the courts of law below the power of deciding on the 'tenure of seats in this House;' and he was not disposed to insist on any oath whatever being administered to the member. But he strongly advocated a declaratory law on the whole subject, and that the briber should forfeit the money he had paid; the bribee the sum he had received, with any further penalty, which it might be thought right to superadd; and that both parties should, by positive law, be declared guilty of a misdemeanour. The moment the Speaker sat down,

Perceval rose. He agreed that the law should be a declaratory one, and not merely an enacting one; and, practically, with the other suggestions which the Speaker had thrown out. But he strongly contended that the Bill should not extend to the promise of offices. Offices there must be; the business of the State could not go on without them. The disposal of offices must rest somewhere, and here that power was vested in the Crown. That this power must create influence was beyond all question; and everybody agreed that it was proper that such influence should exist in the Crown. But the effect of such a regulation, as that which was proposed with respect to offices, would be that none would either ask or receive an office without risk of a conviction for misdemeanour, however innocent. The only evidence that a jury would have to decide upon would be that a member had procured an office for a friend who had voted for him at an election; and the probability in many such cases would be so great, and the difficulty of disproving all corrupt motives so considerable, that the most innocent men could hardly escape conviction. Perceval's view naturally excited strong criticism. The Opposition contended with some force that, after the proofs which had been elicited of the corrupt disposal of public patronage, it was absurd to exclude the grant of offices from the measure. Perceval, however, carried his point. The Bill was amended in the sense which he desired; and in con-

[1] Hansard, xiv. 338.

sequence of these amendments, the Opposition turned round, and endeavoured to throw it out. They divided against it on the third reading, mustering 83 votes to 98; they risked immediately afterwards a second division on the question that the Bill do pass, and were only beaten by 97 votes to 85; and Lord Folkestone subsequently proposed to amend the preamble, by styling it 'a Bill for more effectually preventing the sale of Seats in Parliament for money, *and for promoting a Monopoly thereof to the Treasury by the means of patronage*;' and succeeded in mustering 28 votes, in a house of 161 members, to support his amendment.

There is much difficulty at the present time in weighing the value of these different opinions. Now, for instance, that election trials have been referred with great advantage to the ordinary courts, we are in danger of insufficiently appreciating the objections which the Speaker himself entertained to this very change; now that the Ministry have voluntarily denied themselves the disposal of public patronage, we are liable to attach too little importance to Perceval's contention, that 'the disposal of offices must rest somewhere.' But, at the same time, there are two broad conclusions, which it seems both possible and easy to form. In the first place, the Bill, in the ultimate shape in which it left the House, was unquestionably a vast improvement on the existing law, and as such ought to have received to the last the support of its original friends. Curwen himself

thought so; and Curwen's opinion on such a point deserved consideration. But, in the next place, it seems clear that Perceval took what may, perhaps, for want of a better word, be termed the 'official' view of the subject too strongly. That his objections had great technical force, cannot be denied; but, on the other hand, it is impossible to overlook the great practical abuse which the East India patronage report had revealed. The Minister would have done better after such revelations to have assisted the Opposition to remove any technical difficulties, than to have pleaded the latter as an insuperable bar to a salutary reform.

That it would have been better for Perceval's reputation, if he had done so, there can be no question. There is not a tittle of evidence that he was ever engaged in any corrupt transaction; and yet, in consequence of his policy on this occasion, a host of critics, who apparently have taken no pains to examine the facts for themselves, have assumed that his Government was founded on a system of organised corruption. It is perfectly true that, during the Portland and Perceval administrations, a certain number of seats were really only the nomination boroughs of the Minister of the day. It is also true that the Duke of Portland and Perceval usually nominated their own friends. But it would be as unjust to blame the Duke of Portland or Perceval on this account as it would be to condemn Mr. Gladstone for preferring Dr. Temple to the see

of Exeter, or for appointing Lord Northbrook Governor-General of India. Mr. Gladstone naturally fills the great offices both of the State and of the Church with persons professing his own political opinions; and the Duke of Portland and Perceval similarly filled the Treasury seats with their own supporters. What they did in this respect had been done before them by Grenville and Fox, by Addington and Pitt, by every Minister since the days of the Revolution. Occasionally, indeed, we meet with instances when the ordinary rule was disregarded. But where is the most conspicuous instance of the disregard of it? In the offer by Perceval to Mackintosh—a political opponent—of a seat in Parliament.

So far for the general accusation which has been brought against the Minister. But there are some more particular charges which it may be desirable to consider. Foremost among them are the circumstances of Quintin Dick's resignation, and a general statement of Romilly's. Of Quintin Dick's resignation little need be said. Madocks' original charge was only that Perceval was privy to the transaction. Tierney, a political opponent, declared that the evidence was so 'vague that he should be ashamed to receive it;' and Perceval told the Speaker that, so far from being a party to Dick's resignation, 'he had pressed him to continue in Parliament.'[1] It would be an insult to Perceval, under such circum-

[1] Colchester, ii 182.

stances, even to offer a defence for him from such a charge! The second charge may deserve a few words of criticism. Earle, in his book on British Premiers, has pronounced a very adverse opinion on Perceval's character, and, amongst other matters, some of which will be noticed elsewhere, includes the following. 'He (Perceval) and his colleagues were so committed to the scandalous traffic in boroughs, that Romilly used to complain that there was no other way in which a man could sit in Parliament as an independent member, except by purchasing his seat. Tierney once offered 10,000*l.* for the two seats of Westbury, and offered it in vain, for the Minister had bought up all the seats that were in the market at any price asked.'[1]

Earle in this passage, it will be seen, supports his charge with two distinct facts. The first is Romilly's complaint; the second is Tierney's offer. The latter is also taken from a passage in Romilly's Diary. But what does it prove? That Tierney, a member of the Liberal party, made a most corrupt and improper offer; and inferred that he was unsuccessful because the Minister had been more adroit or more prompt than himself. The charge, therefore, is in reality one against Tierney, not against Perceval. It can only be accepted as a charge against the Minister when the grounds of Romilly's inference are known. That this inference is not entirely true is certain. Curwen, in introducing his Bill, told the

[1] Earle, ii. 120.

House that a lady in his own neighbourhood received from one Reding an offer of 10,000 guineas—the sum suspiciously resembles Tierney's offer—for two seats in which she had influence. She refused; but why? Because she had previously sold them to the Minister? No. Because she had never 'disgraced' herself 'with such practices.'[1]

But Romilly's complaint still requires consideration. His character was so pure, his reputation is so high, that such a complaint from such a man cannot be lightly passed over. And it is unquestionably true that Romilly did say and think that the only course open for an independent man, who desired to enter Parliament, and at the same time preserve his independence, was to purchase a seat. The mere fact, indeed, that such a man as Romilly should have deliberately recorded this opinion, should have made subsequent writers hesitate before they included everyone engaged in the practice in one sweeping accusation. A practice, which Romilly thought the most honourable an honourable man could pursue, deserves at any rate to be understood before it is condemned. But when did Romilly first make this statement which Earle cites to prove that Perceval was committed to the corrupt practice? When the latter was Minister, and contending with the remnant of a divided party against a persistent opposition? When the Duke of Portland had gained office and was meditating the dissolution which

[1] Hansard, xiv. 358.

procured him so strong a following? No! Incredible as it may seem to any impartial person, the complaint which Earle deliberately cites as a proof that Perceval was 'committed to a corrupt practice,' was first made when Pitt's second Ministry was tottering to its fall — eighteen months before Perceval was Chancellor of the Exchequer: four years before he was Prime Minister. If the statement had not been made, it would have been thought impossible for political partiality to have founded such a charge on such evidence![1]

It is a relief to turn from such criticisms as these to matters of more general interest. On the 12th of May, Perceval brought forward the Budget for the year. The supplies he placed at 47,588,074*l.* The Ways and Means at 47,718,052*l.*[2] 11,000,000*l.* of this sum was provided by a new loan, which was raised on more favourable terms than had ever been previously known. No fresh tax was imposed; and all parties agreed in approving the general features of the Budget, and in congratulating the country and themselves on the prosperity which the terms, on which the loan had been raised, revealed. One feature of the Budget, however, attracted criticism. Perceval estimated that he would receive 300,000*l.* from a lottery. A Committee during the previous

[1] The passage in Romilly will be found in his 'Memoirs,' ii. 122.

[2] The debate on the Budget will be found in Hansard, xiv. 530–553. The loan was raised at 4*l.* 12*s.* 10*d.* per cent.

Session had reported against lotteries; and Wilberforce, Whitbread, and Romilly loudly demanded their discontinuance. Whitbread subsequently made a specific motion on the subject; and was beaten by 90 votes to 36. Perceval, of course, defended the system, because he could not spare the profits he derived from the practice. Can any Minister be blamed for using such language at such a time? In the middle of a great war, when unprecedented loans are necessary, the worst taxes must evidently be endured. Yet Romilly writes as if the lottery was a new tax which Perceval had himself introduced. It is only fair to remember that the Minister really only continued a tax which his predecessors in office had left him.

CHAPTER IX.

CANNING AND CASTLEREAGH.

1809.

Ministry of the Duke of Portland — Lord Castlereagh — George Canning—Dissatisfaction with the Arrangements for the Conduct of the War—Sir John Moore's Appointment to the Command in Portugal—Correspondence of Canning and Perceval—Serious Illness of the Duke of Portland—The Political Situation—Negotiations—News from the Seat of War—Difficulties of the Government—Lords Camden and Castlereagh—Resignation of the Duke of Portland — Canning's Statement of his Position and Views — Delicate Position of Perceval — State of the Administration.

With the single exception of the subject of this memoir, the two most important members of the Duke of Portland's administration were Lord Castlereagh and George Canning. Lord Castlereagh, the representative of a considerable Irish family, the heir to an Irish Peerage, was a statesman possessed of most of those qualities in which his fellow-countrymen are usually deficient; and, on the other hand, singularly devoid of those with which Irishmen are usually largely endowed. His strong good sense, his clear judgment, his great industry, and his steady perseverance, combined to make him an excellent man

of business. But he was deficient in the power of describing, in grammatical or even intelligible language, the policy which no one was more competent to devise. The deficiency was the more remarkable, because he had many personal advantages to set off his oratory. He had an eminently patrician figure, and a courage that was prepared for any emergency. He was ignorant of the fear which personal danger inspires in some men; he was ready, at the risk of certain discomfiture, to grapple with the most formidable antagonist on the floor of the House of Commons.

George Canning was cast in a different mould. The son of a needy and dissolute actor, he had, as a mere child, attracted notice from his abilities, and friends had interfered to rescue him from the inevitable consequences of a training in his father's house. He had not deceived the promise of his childhood. He had achieved a reputation as a brilliant writer at an age when clever lads are usually only known for proficiency in Greek and Latin. Brought, at an early age, into Parliament, he had fulfilled from the first the expectations of his admirers, and merited the favour which Pitt extended to him. A subaltern in Pitt's Ministry, he had retired on the fall of his chieftain. But his ambitious temperament had brooked reluctantly the retirement which the great Minister had courted. It was his influence that forced Pitt into opposition to Addington. It was the brilliancy of his pen that

drove Addington into an estrangement from Pitt. The political history of 1804 might possibly have been different if it had not been for Canning.

Canning and Castlereagh were of the same age. Both of them were a few years younger than Perceval. On Pitt's death, in 1806, the latter had consulted Canning on the conduct which Pitt's friends should pursue; and Canning had stated broadly the points on which he conceived that he differed from Perceval. During the Session of 1806, the two men had moved in different circles, but Perceval had practically gained on his rival; and become, to all intents and purposes, the leader of the Opposition. The crisis of 1807 still further deranged Canning's ambitious plans. Perceval was opposed to the Catholics on principle: Canning was opposed to them on the score of expediency. The King, under such circumstances, naturally preferred Perceval to Canning. Perceval was reluctantly compelled to accept the Chancellorship of the Exchequer and the lead in the Commons: Canning was forced to content himself with the seals of the Foreign Office.

That Canning's acquiescence in this arrangement was not warm may probably be inferred from his refusal in 1807 of Perceval's official dinner. No signs, however, of a rupture took place; and, during the whole of that year, as well as during a portion of 1808, there were no visible dissensions in the Ministry. The Convention of Cintra was the first cause of difference. Canning's views on the subject

have been detailed in a preceding chapter. He thought that the Ministry should not attempt to defend it. The Cabinet concluded that they were bound to stand up for their generals. The difference was partially increased by the circumstances of Sir John Moore's expedition. Castlereagh told his colleagues that Moore had raised every objection to the plan, and had parted from him with a prediction of certain failure. 'Good God!' replied Canning, 'and do you really mean to say that you allowed a man, entertaining such feelings with regard to an expedition, to assume the command of it?'[1] The differences which thus existed became greater when the Ministry decided to defend the Duke of York. Canning thought that the Ministry should not undertake the Duke's defence at all, unless it was wholly entrusted to them. The Cabinet, on the contrary, undertook the defence, though His Royal Highness declined to follow the advice which they gave him.[2]

With these views Canning, on the 24th March,[3]

[1] Stapleton's 'Canning,' 160.

[2] Colchester, ii. 179; Perceval Papers.

[3] Some weeks afterwards Canning forwarded a copy of this letter to Perceval, in justification of his own conduct. In justice to the former, it may be desirable to insert it here.—Cfr. Colchester, ii. 220; Ward, i. 241.

'*Foreign Office, March 24th*, 1809.

'My dear Lord,—I do not know whether the conversations which I had with your Grace at Bulstrode in October or November, and afterwards at Burlington House, just previously to the

wrote to the Duke of Portland to say that, in his opinion the Government, as then constituted, was

opening of the session, will have prepared your Grace for the communication which I have now to make to you.

'It was my intention so far to prepare your Grace for it by these conversations, as that when the period for making it should arrive your Grace might not be taken by surprise; at the same time, while it was yet possible that events might occur to render the communication itself unnecessary, I was not desirous of giving your Grace the trouble of a discussion which might be to no purpose.

'The period does appear to me to be now arrived when I can, with the least possible chance of any imputation or suspicion of other motives than those which really actuate me, state to your Grace in the utmost confidence and without any reserve my sincere opinions as to the situation of your Grace's Government, and the conclusions to which those opinions lead me.

'In doing this I trust your Grace will understand me not as presuming to blame or to criticise the conduct of others, but simply as wishing to explain, in the fullest and clearest manner, the motives of what may possibly be my own.

'No man, I apprehend, can shut his eyes to the plain fact that the Government has sunk in public opinion since the end of the last session of Parliament. The Convention of Cintra was, according to my judgment and belief, the primary cause of this change. The unfortunate result of the Spanish campaign confirmed it.

'Probably neither the Convention (which was not our work) nor the failure in Spain (which was not our fault) would have had this effect upon the character and popularity of the Government had we not, in both instances, made ourselves responsible in public opinion for transactions of which the blame did not, in fact, rest upon ourselves,—a conduct of which, in both instances, the evil appears to me to have arisen from a spirit of compromise, from a desire to avoid meeting difficulties *in front*, and a hope of getting round them by management—principles of action utterly unsuited, in my humble opinion, to a Government acting in such times as these. I wish I could see anything in our present proceedings which promised to repair the past. But your Grace need

inadequate to the requirements of the times. As the result of the last year's counsels was now wound

not be informed how little we have been doing; nor (to omit other subjects) need I remind your Grace how often, within the last two months, I have ventured to press the situation of Portugal upon the attention of the Cabinet, and how slow the progress has been to any decision on that subject.

'It is not for me to point out to your Grace the causes of this state of things; but I feel it a duty to your Grace, as well as to myself, fairly to avow to your Grace *that the Government, as at present constituted, does not appear to me equal to the great task which it has to perform.* With this conscientious persuasion upon my mind, my first wish is certainly that the defects, wherever they be, should be remedied; but, if that should be impracticable, my next wish is that your Grace may not take it unkindly if I desire to withdraw myself from a share in the responsibility for a system in my own judgment so little adequate to the crisis in which this country and the world are placed. I will not disguise from your Grace that this desire first arose out of that decision respecting the Convention of Cintra which was taken by the Cabinet in my absence, and my reasons for dissenting from which I felt it incumbent upon me most humbly to lay before the King.

'I was diverted from my purpose at that time by the disposition which I found in the Cabinet subsequently to adopt and to act upon many of the views which I had taken of particular parts of the Convention. While the discussion upon that subject was going on, the march of the British army into Spain, under the command of Sir John Moore, was decided,—a measure in which, under the circumstances of the moment, I was induced to concur (how reluctantly, and with how little hope of good, your Grace well knows), and in which having once concurred, I felt myself bound in honour to take my full share of all its consequences.

'Soon after the meeting of Parliament, and before the questions arising out of the Portuguese and Spanish campaigns had been disposed of, that relating to the Duke of York was brought forward, — a question on the one hand deeply interesting the personal feelings of the King, and supposed on the other hand to

up, and the policy and plans of the approaching summer not yet entered upon, he desired to retire before the Houses of Parliament should reassemble after the Easter recess. The Duke of Portland naturally laid the letter before the King. His Majesty understood it as a complaint against Lord Castlereagh, and suggested his Lordship's transfer to some other office. The Duke assented; but recommended that the arrangement should be con-

threaten the stability of the Administration, and of which, therefore, I was determined by every sentiment of duty and affection to His Majesty, and of honour toward my colleagues, to wait the termination. That question is now at an end. There is now a pause between the winding-up of the results of last year's counsels and the commencement of operations for the year to come. The questions of future policy with respect to almost all the powers of Europe, and those of the plans of the campaign, both in the North and in the South, are open; and it is, before the decision upon these most important points is taken, and before, therefore, any pledge of responsibility for the future is incurred, that I have thought it right to avail myself of this opportunity fairly and explicitly to lay before your Grace opinions, in the formation of which, I can honestly say, regard for the interest of the country has had by far the largest share, and in considering and deciding upon which I request your Grace to have no further regard to me personally than may be sufficient to induce you to come to some conclusion, if possible, before business in Parliament recommences after the holidays. I shall be most happy to converse with your Grace upon the subject of this letter whenever your Grace desires it; but it is obviously a subject which I could not, in the first instance, have opened to your Grace as fully and clearly as I wished in conversation.

'Ever, my dear Lord,

'Your Grace's most faithful

'And affectionate Servant,

'G. CANNING.'

cealed from Castlereagh, that its execution should be postponed till after the prorogation, and that Lord Wellesley should then have the War-Office. This plan he subsequently communicated to Lord Camden, Lord Castlereagh's chief friend and uncle; as well as to Lord Bathurst and the Chancellor.[1]

With this arrangement Canning was satisfied at the time. Late in the following month he took both Rose and the Speaker into his confidence. 'The Government,' he said, 'could not go on; Castlereagh ought to have resigned before the last question,[2] and still more so since. That it was in vain to be waiting till the session ended.' Rose seems to have been staggered by the intelligence, and replied simply that he should resign with Canning. The Speaker, on the contrary, assented to the necessity for a strong Government, and insisted that the Prime Minister ought to be in the House of Commons.[3]

Nothing, however, came of these explanations. On the 21st June Parliament was prorogued; and a Cabinet Council was held, at which the Walcheren expedition was finally determined on. The Duke of Portland, when the Cabinet broke up, desired Perceval to call on him the next day. Perceval complied; and then received, for the first time, an account of the intrigue. He at once expressed his

[1] Colchester, ii. 220; Ward, i. 213.

[2] The motion about East India patronage, *vide supra*, p. 331.

[3] Rose, ii. 368; Colchester, ii. 179.

surprise, both at the transaction itself, and at its concealment; and insisted that the arrangement, which had been made in April, must necessarily be modified by the decision of the previous day.

'For that Castlereagh should have been permitted, by those who knew how this discussion was likely to terminate, to be preparing and arranging one of the most important and extensive military expeditions which this country ever set on foot; and that he should be told, just as it is about to be executed, that he must resign his situation, remaining responsible, in great part at least, for the arrangement, and being deprived of the superintendence of the execution, is what I think cannot be intended.'

So he wrote to Canning three days after the Duke's communication to him :—

'I know *now*,' he went on, 'how long this business has been pending, and how it has been drawn on; and I enter fully into the motives which induced you to consent to the delay, and give you the greatest credit for them. But the delay, however reluctantly consented to on your part, has been permitted by you to take place; and the consequence has been that Castlereagh's situation, connected with this expedition, has been and is one from which he has had a right to presume and imply that all his colleagues who knew of this expedition, and consented to its being arranged by him, consented also to its being executed under him.'

Canning's reply was concise :—

'Having stated to the Duke of Portland all that I had or have to say, so long ago as last Easter; considering his grace as the proper depository of such a statement, and the proper channel for the communication of such part of it as he might think fit to communicate to the King; I conceived that I was not only not bound, but that I was hardly at liberty, to enter into partial discussions with individual

members of the Administration, unless the Duke of Portland desired me to do so; and I see no good to which such discussions can now lead.

'Here I should conclude, were it not for two points in your letter in which you seem to have misapprehended the true state of the case to a degree wholly unaccountable after the communications which you describe yourself to have had upon it.

'First, you express yourself as if you imagined that the proposed arrangement with respect to Lord C. originated with me. Nothing like it. So far from proposing it, I have urged some of those very objections to it which you urge yourself. And, so far from wishing it, I have distinctly declared that I was prepared to acquiesce in it, *not* because I had any personal liking to it, *not* because I thought it cured all the evil, but *simply* out of deference to a suggestion of *the King's*.

'Secondly, you speak of "concealment." So far as I am concerned, I have only to say that when, in my letter to the Duke of Portland three months ago, I requested to be allowed to retire before the recommencement of business after the Easter holidays, I can hardly have had any purpose of concealment. But neither can I think the imputation fair as against the Duke of Portland, knowing, as I do, that the second person with whom he communicated was Lord Camden; that he has been in constant and regular communication with him ever since; and that he selected him expressly as the fittest person to communicate with Lord C. If Lord Camden has not done this, I dare say he had good reasons for it. But it is needless to say that it is no fault of mine; and I cannot believe it to be any fault of the Duke of Portland's.'

'I have expressed myself,' Perceval replied on the same day, 'very ill, and far different from what I meant, if my expressions convey the idea that the proposed arrangement

in office commenced with you. I understood perfectly that it was suggested by His Majesty; and that you considered it, as well as myself, little calculated to remove any difficulties which Castlereagh's feelings might occasion.

'As to the word "concealment," perhaps it was improperly used. "Non-communication" more correctly expresses my idea. It was not, however, on your part that I conceived communication to be necessary, at least in the first instance, even towards Castlereagh, and at no time towards other members of the Government.

'But, as to Castlereagh, it strikes me very strongly, but perhaps very erroneously, that by some one or other, who may have known that his early removal was intended, he ought to have had notice of it before the subject of the expedition had gone the length it has. And I cannot but think also that some communication was due to the other members of the Government.

* * * * * *

'As to the main subject I readily acquiesce in what appears to be your view upon it, that any further observations or opinions should perhaps be better communicated by either of us to the Duke of Portland.'

With this agreement Perceval and Canning both wrote to the Duke himself. Perceval's letter is little more than a recapitulation of his arguments to Canning, and of the substance of the latter's reply. Canning's letter to the Duke has not been, apparently, preserved. He enclosed a copy of it, indeed, to Perceval in a note, in which he took the opportunity of assuring him,—

'That whatever momentary impressions your former letter may have made, and my answer to it may have expressed (if it did express them), are entirely done away;

and indeed would have vanished, upon a little reflection, even without your second letter.'

But, as he asked for the return of the enclosure, Perceval 'did not feel justified in keeping a copy of it.' Its substance may be inferred, however, from Perceval's reply. After expressing his gratification that his explanatory note had removed the impression made by his former letter, he goes on :—

'Your letter to the Duke of Portland certainly does no more than convey what I felt assured must be your feelings with respect to the idea of removing Castlereagh from the management of the expedition; my fear is that, if the management of the war is taken from him in any other quarter, though left with him as to the present expedition, he would necessarily ascribe it to such a want of confidence in him, on the part of the King or of his colleagues, as would lead him to resign his situation altogether; and then my doubt is whether, if this is the probable consequence of such an arrangement, it will not in effect be doing the same thing which, from feelings of delicacy if not of justice to him, we have agreed should not be done.

'As to the arrangement itself as proposed by the King, however well it may do at the present moment, I think it is a very imperfect one for the public service; and that, if your office is to have the management of war in any part of the world, it should have it in every part; that the direction of the whole force of the country should be with the Minister who is to direct any part of it. But this is a subject which, I am happy to think, may be discussed and considered without any individual feelings, and perhaps does not press very much.'[1]

It seems clear, from this letter, that Canning

[1] Perceval Papers.

had consented to take no further steps for the moment against Castlereagh; or, to use the Speaker's expression, 'Perceval obtained a respite of the projected removal, until at least the issue of this expedition should take place.' But Canning was not apparently debarred, or did not at any rate feel himself pledged to desist, from suggesting the arrangements which would eventually be necessary. It seems ultimately to have been decided, between the Duke of Portland and Canning at any rate, that Lord Wellesley should have the War-Office; that Castlereagh should be transferred to some other department, Lord Camden offering his resignation to make way for him.

'I have written to the Duke of Portland,' writes Lord Camden to Perceval on the 11th July. 'I confined my conversation yesterday and my letter to-day to the statement I propose to make, viz., that time should be given, and that time not earlier than the issue of the expedition, to make such an arrangement as would give the chance of persuading Castlereagh that he ought to consent to it in the view of strengthening Government; and, under that idea, I have offered my office,—but decidedly declining to *offer* it under any other conditions.'

'Canning,' wrote the Duke himself, late on the same evening, 'has just left me; *satisfied* with the state to which the business is brought; and requiring *only* that, if Lord Wellesley is to have the seals, or is to have any other ministerial employment, he should be acquainted with it before he sets out for Spain; and that his departure may not be unnecessarily deferred after the sailing of the expedition, or after to-morrow sennight, supposing that he is able

to set out by that time which he himself expects he shall be able to do on Monday.'

It is not clear how far Perceval may have, in the first instance, assented to this arrangement. It seems certain that on the following day he talked the matter over confidentially with the most intimate of his political friends, Lord Harrowby, and that the latter pointed out to him the extreme treachery it involved.

'This cursed business,' Perceval wrote to Lord Harrowby,[1] twenty-four hours later, on the 13th July, 'haunts me. And why? Because I have been endeavouring to reconcile myself to it by some expedient which is not satisfactorily justifiable and honourable towards Castlereagh. Your arguments, which I could not answer last night, have left me in a precious state; they showed me that there was no distinction in substance between what I was ready to have acquiesced in, and what I thought wholly irreconcilable with any principles of sincerity, integrity, and honour. But, in dissatisfying me with what I was prepared for, they have not satisfied me in the least with your suggestions. I am writing to the Duke to prevent his undertaking to pledge me. It is not whether Wellesley knows this arrangement or not before Castlereagh. That makes no difference. But it is that *under all the circumstances* . . . . the making a conclusive arrangement with respect to Lord C.'s fate, and pledging ourselves to stand by it, previously to his knowing anything of it, is unjust and dishonourable to him.

* * * * * *

'My pledge as at present advised cannot go further than

[1] Plumer Ward says this letter was to the Duke of Portland. ('Memoirs,' i. 226.) Another and similar letter on the same day was to the Duke. Ward has confused the two.

this. That I will do anything in my power, submit to any arrangement which can be proposed, however affecting myself; I mean by that contentedly to remain with *any* first Lord of the Treasury over me from amongst ourselves, not excluding Lord Wellesley, provided Castlereagh by such arrangement could be kept amongst us; but I cannot pledge myself to consent to any arrangement, decisive of Lord Castlereagh's fate, until I know how Lord Castlereagh himself will receive it. And I will pledge myself to use my best endeavours to prevail upon him to acquiesce in it.'

Thus ended the first part of the proceedings. Lord Wellesley was permitted to go to Spain; Lord Castlereagh was kept at the War-Office; and, notwithstanding a further remonstrance from Canning on the 18th July, the Duke of Portland refused to inform his Lordship of what had occurred. But, before the close of August, matters had again changed. The Duke of Portland had become seriously ill; he had had a fit in his carriage near Bulstrode; his life had been in considerable danger; and, though he had rallied, it was obvious that he could not long continue to be minister. Under these circumstances Perceval renewed his correspondence with Canning on the 28th August:—

'Although I thought,' he began, 'the Duke of Portland on Thursday last . . . considerably better than I have seen him for many weeks, yet the precarious state of his health necessarily warns us that it is not likely he can long continue to hold his present situation. If therefore we are desirous, as I conceive we are, of preserving the Government in the hands which at present hold it, it is next to madness not to be considering whether any arrangement in the event

of his resignation could be made, which would be at once acceptable to the King and ourselves. . . . I confess I am the more anxious not to delay any longer opening this subject to you, because, after all that has passed respecting the situation in the change of one of our colleagues, combined with the wish, I believe felt by us all, to retain him amongst us, it appears to me that, under the cover of so general an arrangement as that which would comprehend the office of First Lord of the Treasury, this change might possibly be effected in the manner least unpleasant to any of us.'

* * * * *

'With respect to myself, . . I should not object to continue in any office, under anyone whom it appears to me at present to be at all likely you and the rest of my colleagues would be satisfied to see at our head. I must, however, premise that he must, by public exertion, and in public estimation, partake a little more of the responsibility of the Treasury than I conceive the Duke of Portland to *do*. For I cannot consent upon any change, or under any one except the Duke of Portland, to be in the sort of situation which I hold at present, with almost all the power of the Department in another, and with almost, if not entirely, the whole of its responsibility in myself.'

Canning replied very shortly to this letter by asking two questions :—

'First, Is the Duke of Portland aware that his resignation is in contemplation, or has he himself intimated a disposition to resign ? . . . Secondly, As you state yourself to be confident that an arrangement might be made in the event of the Duke of Portland's retirement, will you allow me to inquire whether this confidence proceeds from your own view of things, or from any communications with any, and with whom, of the members of the Government?'

'The Duke of Portland,' replied Perceval the next day,

29th August, 'is not in any degree privy to the subject of my note to you; nor has he to my knowledge intimated any disposition to resign since his last illness. Nor does a single soul know that *I have* written to you, or communicated with you, upon this subject. Harrowby alone knew that I intended it. I mentioned it to him, as he happened to come into my room while I was writing a letter to you, in which I had specially mentioned him as the person under whom, as the First Lord of the Treasury, if his appointment could be satisfactory to you and others, I should be particularly ready to act; but, upon showing him that passage, he so peremptorily declined having anything to do with it, and so convinced me that it was hopeless to attempt to prevail upon him, that I was obliged, though very reluctantly, to abandon the idea, and to write to you another letter.

* * * * * *

'The only communication which I have had with members of the Government, besides what I have stated to Harrowby, has been with the Lord Chancellor and Lord Liverpool; with whom I have agreed, since the Duke's last illness, in general terms, that it was absurd not to be considering whether any and what arrangements might be made in the event of our losing him. But to them I have not stated my intention of writing to you. In truth I have thought (I would say it to anyone more readily than to you) that it was idle to think of anything specific upon this subject, without knowing what you thought of it.'

Canning replied on the same day,—

'I thought it not improbable that, since the Duke of Portland's last illness, some step might have been taken on his part to bring the subject into discussion. But, finding that not to be the case, I feel myself precluded from entering into it. Do not imagine that this is from any indisposition to meet your confidence; or that I disagree with you as to

the importance of the subject; or mean to insinuate that there is the slightest impropriety in your having proposed the discussion of it to me, or discussing it with any of our colleagues. It is merely that, after what passed between the Duke of Portland and myself on this subject at Easter, and after what I heard, both from the King and from the Duke of Portland, as having passed between them when the Duke tendered his resignation, I feel a peculiar and personal difficulty in ever again originating the subject with them, and still more in discussing it with others, unless he shall have himself originated, or at least authorised, the discussion.'

Canning probably supposed that the correspondence would be concluded at this point; but, on the following day, Perceval met Lord Liverpool at the levee, and, in returning home, related to him what had passed. Lord Liverpool begged Perceval—

'To state to you (Canning), what I did not feel at liberty without his leave to mention before that, on the levee after the Duke's last attack, the King opened the subject to him . . . by saying that it was impossible things could last long as they were, and that it was therefore necessary that we should be looking about us to be prepared for what might occur to the Duke . . . . . I hardly know how to hope that this circumstance may appear to you in some degree to alter the state of the question, so as to remove any of your difficulties; but I lose no time in communicating it that you may be aware that it is not only among ourselves that the subject is in contemplation.'

Canning's answer must be given at length,—

'*Gloucester Lodge,*

'*Thursday Morning, Aug.* 31, 1809.

'Dear Perceval, — After what you said to me at the Queen's House, and after your letter of yesterday evening, I cannot but feel that, although I am precluded, by the circumstances which I have explained to you, from taking part in any discussion as to the *expediency* of the Duke of Portland's retirement, I owe it to the frankness, with which you have opened yourself to me, not to withhold from you the communication of what my sentiments *would be* in the *event* of the Duke of Portland's voluntary resignation. In that confidence, then, of which you have set me the example, I have no difficulty in stating to you that I should not agree in thinking such a frame of Government, as that which I rather collect from your letters you might be induced to approve, either satisfactory or expedient. I have for some time been convinced—and every month's experience tends to confirm that conviction more and more,— that a *Minister*— and that Minister in the *House of Commons*—is indispensable[1] to the well-carrying-on the King's Government in these times. I cannot venture to conjecture how far others, our colleagues, may concur in this opinion. I, of course, cannot mean to pretend to disguise either from you, or from myself, that the choice of such a Minister, in the present administration, would be to be made between us two. I am not so presumptuous as to expect that you should acquiesce in that choice falling on me. On the other hand, I hope and trust

[1] Canning's conduct was so inconsistent that it hardly admits of explanation. Lord Mulgrave tells us distinctly that Canning 'had expressed himself ready to hold office under Lord Chatham, as head of the Government.' The failure of the 'Walcheren expedition rendered that arrangement *now* impossible, and Canning will hear of no other third person as head.' (Plumer Ward, i. 215.) If, then, Canning was ready to serve under Lord Chatham, it is obvious that he did not originally think *a* minister in the House of Commons indispensable.

that you will not consider it as any want of esteem and kindness on my part towards you personally (than which I do assure you nothing could be more entirely foreign to my real feelings) if I should not think it possible to remain in office under the change which would necessarily be produced in my situation by the appointment of a first Minister in the House of Commons—even in your person.

'I have thus declared my sentiments to you without reserve. You may, possibly, differ from them; you will, I hope, give me credit for their being the result of a sincere, and (on *many* grounds) unwilling conviction, and you will now be at no loss to account for any backwardness which you may have thought I have shown to enter upon this very delicate question of eventual arrangements.

'Believe me, dear Perceval,
'Very sincerely yours,
'GEO. CANNING.'

'*Downing Street, Aug.* 31*st*, 1809.

'Dear Canning,—I hasten to acknowledge with thankfulness the frankness of your communication. I concur entirely with you in thinking that the most advantageous arrangement for the King's Government is, clearly, to have the Prime Minister in the House of Commons. I never disguised from myself or from any one that, if that Minister in the House of Commons was to be looked for amongst the members of the present Government, it would be pretty generally agreed that it should be one of us two. I always thought it actually out of the question to suppose that you would acquiesce in the choice falling on me; I therefore thought it necessary to look to the other members of Parliament, not from a disinclination to have that superiority marked by office which I unaffectedly feel to be so strongly marked in every other way, but because I conceived that *it* would not only be attended, in the detail of the arrangement, with much practical difficulty; but certainly, as far as

change of situation is concerned, because I felt that it would be greater in my person on the latter supposition, than in yours on the former.[1] For it could not be otherwise brought about, as I conceive, than by my actual removal from my present office. You could not continue Secretary of State and be Prime Minister. You must be First Lord of the Treasury and Chancellor of the Exchequer. This (I mean my actual supersession) would be the thing that I should feel principally painful; and, I cannot disguise from you, that I certainly should feel it so. I therefore looked to the other members of Parliament for a Minister who would leave us where we were, and consequently make the least practical change in either of our situations. A positive and peremptory opinion, however, one way or the other, upon what my disposition would be under the circumstances above supposed, you will not expect from me so expeditiously as I am desirous of answering your letter. Indeed, it is a point on which I should not feel justified in forming a determinate opinion without consulting other judgments than my own, or my own more maturely than I have time to do at present before I answer your letter. This much I can say at the moment, that it would be a very painful consideration, and one that I would yield to with the greatest reluctance, to think that any feelings of mine should stand in the way of an arrangement which might otherwise preserve to the King his present servants. Once more thanking you for the frankness of your letter,

'I am, dear Canning,

'Yours very truly,

'Sp. Perceval.'

'Dear Canning,[2]—Having since I last saw you communi-

[1] *Note in Perceval's handwriting.* 'This is extremely awkwardly expressed. It means the other alternative, viz. the arrangements which would place Canning at the head of the Treasury.'

[2] This letter has no date to it. It was probably written either

cated very fully with my brother, whom I saw this morning, upon the subject of our late correspondence, I am now fully satisfied in my own mind that I should be considered by my friends as suffering a degree of degradation, by my removal from my present office and situation in the House of Commons, which I ought not to acquiesce in. I believe I left you strongly impressed with the opinion that such would probably be my determination (which indeed I collected to be your own also); but, as I had not fully and decisively expressed it to you before, I thought it necessary to trouble you with this line. This being the case, I therefore earnestly

---

on the 4th or 5th September, as a letter is extant among the Perceval papers of the 3rd September to Lord Arden, from which it is evident that, on that day, Perceval had not decided to resist Canning's pretensions. 'My own conviction,' he writes to his brother, 'is that to attempt to form a Government without Canning would be to deceive the King and to do injustice to the country and to ourselves. I know it is the opinion of many of us (in which, however, I do not agree) that it would be equally hopeless to make the same attempt under Canning without me. Unless, therefore, Canning will consent to have the First Lord of the Treasury in the House of Lords, or I will consent to be Secretary of State for the Home Department (the only office I could possibly hold while he is First Lord of the Treasury and Chancellor of the Exchequer), it appears to me impossible for the King's Government to continue in the present hands a moment longer than we can keep our precarious *keystone* in his present place. It is not only that I should have to give up my present office, but I should have also to relinquish my station in the House of Commons. I think I am ready, for the King's service, to sacrifice every feeling of personal pride or vanity which might be wounded by such an event. But public men are, for their means of public utility, the creatures, in great measure, of public opinion; and if, as I much fear would be the case, such a sacrifice would be felt by my friends and the public as a degradation which I ought not to submit to, the submitting to it might much abridge my means of future service to the King and the country.'

hope that, though the arrangement under a third person would not appear generally expedient or satisfactory, yet that, under present circumstances, and difficulties, which really come out of our situation without any fault of either of us, it is preferable to that total overthrow of the present Government which otherwise is likely at no great distance to ensue.

'I am, dear Canning, &c.

'SP. PERCEVAL.'

The negotiation had thus arrived at a stage which very much resembled a stale mate. Canning would not yield an inch to Perceval; Perceval could not forego a jot for Canning. The Prime Minister was seriously ill at Bulstrode; the two most prominent members of the Cabinet were agreed that some arrangement for replacing him was necessary; but neither of them was willing to yield his own pretensions to the other. On the 2nd September bad news reached England. Sir Arthur Wellesley had retreated across the Tagus; Lord Chatham had announced his determination to return without attacking Antwerp.[1] The circumstances which had led to Castlereagh's 'respite' were, in other words, ended. The Walcheren expedition was concluded, and had terminated with discredit and disaster. Canning wrote to the Duke of Portland—

'The pressure in point of time is become so much more urgent, and the prospect of saving the Government by any

[1] Colchester, ii. 199.

change, if longer deferred, so doubtful, that he should think himself wanting to His Majesty, to the country,' to the Duke, 'as well as to himself, if he were not on that day to remind him that the period was arrived, according to His Majesty's gracious promise . . . . that Lord Wellesley was to be called to the office of Secretary of State for the War Department.'

The Duke of Portland, evidently in sore distress at this letter, unburdened himself to Perceval:—

'What may be the apprehensions or expectations which have led Canning to take this step, I will not attempt to conjecture; but no consideration will induce me to proceed further in this most unfortunate transaction until I shall receive the King's further commands, which I shall not ask for till I pay my duty to His Majesty in person on next Wednesday. I deemed it, however, incumbent upon me to give you the earliest possible notice of this importunity.'

Perceval, after expressing his regret at Canning's action, replied to the Duke:—

'Under all the important and unpleasant circumstances of this unhappy business, I should not feel that I did my duty to your Grace, or to the King, or our colleagues, if I did not venture to recall to your Grace's consideration your general idea of a more extended arrangement, as promising to afford some facilities to get rid of our difficulties; and if I did not suggest, as just possible, that His Majesty might now, when the difficulties are more near and more embarrassing, consent to listen to your Grace's proposal of endeavouring to recommend and superintend some arrangement, which might at once have the effect of covering from Lord Castlereagh the unpleasant circumstances which occasion his removal; and of relieving your Grace from a situation which I am sure nothing could have induced your Grace to

have endured so long, but a most determined resolution to sacrifice all those considerations of personal ease and comfort and quiet which your health so imperiously required, to what you have seen and felt to be the essential interests of the King's service and the public welfare. . . . .

'If I did not feel satisfied, from your Grace's having tendered your resignation before for the same object, that I was suggesting nothing but what, if it really appears to afford a prospect of securing the King's Government in the hands of his present servants, would be gladly embraced, I certainly should have felt it impossible to have found any apology or excuse which could have justified my offering the present suggestion.'

'You certainly,' was the Duke's very warm reply, 'do me no more than justice in the opinion you express of my readiness to lend myself in any and every way that can be imagined likely to prevent the explosion that threatens us, and to secure the King's Government in the hands of his present servants; and I heartily thank you for it. There was a time when such a step would have been considered by Canning as leading to means which would have prevented a change of Government, and might have contributed to strengthen it; and as he, even to this moment, or at least till very lately, has professed a desire *upon no account to remove* any person, but only to add one person more to the Cabinet, I am willing to hope that he may still be found in the same disposition that he professed at Easter; and, should that be the case, I trust that His Majesty would not object to that which in my conscience I believe to be the only means by which the fate of his Government is to be obviated.'

On the 6th September, after writing this letter, the Duke of Portland saw Canning. The subsequent correspondence makes it possible to infer what passed at the interview. The Duke told Canning

that, if Castlereagh's resignation were insisted upon, other members of the Cabinet would resign with Castlereagh; and he consequently proposed a more extended arrangement, under which he should himself retire, and Castlereagh be moved to some other office. Canning replied that, under these circumstances, he should not press for an execution of the King's promise; but that he must beg the Duke to tender his (Canning's) resignation to His Majesty, as well as his own.[1] Canning repeated the substance of this communication in writing to the Duke; and the latter sent the letter to Perceval. Perceval, on receiving it, wrote again to Canning:—

'The Duke of Portland has just shown me your letter of this morning, in which you refer to a declaration of the Duke's to you yesterday, that the execution of the King's promise would be followed by the resignation of some of the members of the Cabinet; in consequence of which you think yourself bound voluntarily to forego an arrangement, the difficulties of which are thus unexpectedly increased since His Majesty entered into it. I am certainly very anxious, if I am one of the persons to whom you allude, distinctly to assure you that, as the Duke of Portland's resignation has appeared to me to open a reasonable way out of the difficulties which might otherwise have attended the arrangement proposed with respect to Lord C. and Lord W., I have not ever had, under that state of things, the least intention of considering the arrangement, which the King had promised, as one which should in any degree call for my resignation.'

[1] So Canning himself said to Perceval, in a letter dated 1st October, which is among the Perceval papers.

Canning replied on the 8th. Perceval, he said, was quite right in supposing that he had referred to him in his communication to the Duke.

'Your letter of yesterday evening does not at all vary my view of the case or my determination upon it. You tell me that you shall not object to the execution of his promise as part of an arrangement upon the Duke of Portland's resignation. The necessary inference from this statement, thus qualified, must be that, without that qualification, you would have objected to the execution of the promise; and that, if anything should happen to prevent or retard the Duke of Portland's resignation, you would still object to it.

'Now, the promise having been made, two months ago, without any reference whatever to that event, which you now state as the *condition* of your consent to the execution of the promise, I do feel myself placed, by this *conditional* acquiescence in a positive engagement, in a situation which I certainly did not foresee, and out of which I still think there is no way (without stirring very delicate and embarrassing questions), but by my voluntarily foregoing an engagement, the difficulties of which are thus unexpectedly increased since His Majesty entered into it.'

Perceval, on the receipt of this communication, forwarded, in his own justification to Canning, a copy of his letter of the 13th July to the Duke of Portland.

'The contents,' was the reply, 'of your letter of the 13th of July to the Duke of Portland, were entirely new to me.

'If, without any knowledge of them, I acquitted you of all blame, I, of course, can only say, after becoming acquainted with them, that I regret their not having been communicated to me earlier. I do not mean that I could

have expected that communication from you. And I feel, as I am sure you will, that the Duke of Portland could have had no other than the kindest intention towards all parties in withholding it. But I do not the less regret the misunderstanding.'

Canning's letter was dated on the 9th September. The previous day had been a memorable one. Canning had 'desired that a particular subject might be discussed in the Cabinet,'[1] and absented himself from the discussion. Castlereagh pressed Lord Camden so much upon the subject, and 'asked some questions which were so difficult to answer without persisting in a concealment which has lasted too long,' that 'Lord Camden felt himself compelled to open the transaction with him.' 'I flatter myself' (so Lord Camden continued in the letter to Perceval from which this quotation has been made) 'I set his friends right with him, though I fear I have not succeeded in doing so in respect to myself, as he seems to feel I ought not to have yielded to any reasons to conceal the state of things from him, when the expedition was determined upon.'

Lord Castlereagh's natural irritation at the tidings which Lord Camden imparted to him would probably, under any circumstances, have produced a crisis. But, as a matter of fact, the crisis had already come. The Duke of Portland had actually resigned, and the Ministry was practically without a head.

[1] Colchester, ii. 203, where the date, by an evident misprint, is given the 18th.

Perceval announced the Duke's resignation to the Speaker on the 9th: 'According to present appearances Castlereagh cannot stay with us, from a sense of what is due to himself, and Canning will not;' and, two days after this communication, he had an interview with Abbot. The latter summed up the matter very concisely: 'It seems to me,' he said to Perceval, after the latter had given him the whole history of the last few weeks, 'that Canning cannot bring himself to serve under you, and that he has not the conscience to propose that you should serve under him.' Perceval said, 'Why, that is pretty near the substance of the thing, although it has not been put in that form.' The Speaker said, 'What, then, remains to be done?' Perceval: 'To see whether we cannot find some person under whom we may both act.'[1]

Perceval was therefore apparently clinging, so late as the 11th September, to the possibility of continuing the Government under Lord Wellesley, or some other similar person; but Canning was evidently opposed to any such arrangement. On the day after that on which Perceval saw the Speaker, Canning addressed a letter to the Duke of Portland, in which he re-stated in considerable detail his own position and his views. The first part of the letter is chiefly occupied with a recapitu-

[1] Colchester, ii. 201.

lation of what had already passed; the second is devoted to the assertion that '*a minister*,' and that minister in the House of Commons, is essentially necessary.

'I have not attempted,' the letter goes on, 'to disguise from myself or Perceval, who admits the principle of these opinions, how directly and personally they affect himself and me. We have discussed the matter together, however delicate and embarrassing, with perfect good humour (as I am sure your Grace will have heard from him), and as nearly as possible as if we had been talking of a third person.

'The easiest arrangement on this principle would be the devolution of your Grace's office on Perceval. I should see this arrangement without the smallest dissatisfaction or regret. I trust, indeed, that neither your Grace nor His Majesty would think the worse of me if I avow those ordinary feelings of human nature which would preclude my remaining in office under such a change as this arrangement would necessarily produce in my situation. But I should carry out of office with me the most sincere and undiminished good-will towards Perceval; and shall retain equally as in office the most lively sentiments of gratitude and veneration towards His Majesty.

'For myself, I have already said to Perceval, with unaffected truth, that I could neither expect nor desire his consent to act with me in office, in the House of Commons, in a relative situation, the reverse of that in which we have hitherto stood towards each other.

'It is not for me to presume to suggest any other alternative. But of this I am entirely convinced, that the situation to which I have referred, either in Perceval's hands or in mine, or in those of any third person whom

His Majesty might select to honour with his confidence, would be better for the public service, and better especially for any part of that service in which the authority of the Crown is concerned, than a Government of compromise, of uncertain preponderance, and of divided responsibility.'[1]

So far it has been possible to trace this extraordinary passage in political history nearly entirely from the correspondence; but the most singular part of it must be gathered from other sources. While Canning was professing in his letters that 'the easiest arrangement was the devolution of your Grace's office upon Perceval,' it is certain that he was moving heaven and earth to secure its devolution upon himself. It would be wrong to make such a charge if it were not supported by most undoubted evidence; but the testimony on which it is based is so strong that it is impossible to disregard it. The King's account of Canning's interview will be given later on; but additional evidence is also forthcoming. Rose tells us that Canning himself assured him 'that he had no desire to suppress Mr. Perceval; on the contrary, he had proposed his being made a Peer and President of the Council, with the Duchy of Lancaster for life.'[2] But this was only the least of Canning's proposals. Lord

[1] Perceval papers, Colchester, ii. 208, where '*divided*' is erroneously printed 'decided.' This letter probably gave rise to the rumour that Canning had written to the King. — Confer Rose, ii. 383.

[2] Rose, ii. 379.

Bathurst told Rose subsequently that Canning had 'suggested to the Duke of Portland, by way of satisfying Mr. Perceval, that he should be made Lord Chancellor; which the Duke, in the simplicity of his heart, had actually proposed to the Chancellor, who was outrageous at it.'[1] The story sounds so incredible that it would be natural to assume that Bathurst had misunderstood his colleague. But this explanation is impossible; for Twiss, in his 'Life of Lord Eldon,' inserts a letter from the Chancellor himself to his wife, in which he repeats the story, and adds, 'Perceval treated this as he ought.'[2] Well might Perceval exclaim, as he did in Arbuthnot's hearing, 'However he attempted to gild and decorate the ornament, I am persuaded that he meant only to put an extinguisher on my head in the shape of a coronet.'[3]

Of these proposals, unconstitutional in themselves and treacherous to his colleagues, there was, however, no trace in Canning's letter of the 12th September to the Duke. The Duke forwarded this letter immediately to the King. It 'was put into' Perceval's 'hands by His Majesty on the day he received it from the Duke of Portland, when His Majesty' (so the copy of the letter is indorsed in Perceval's handwriting) 'was pleased to command me to lay it before the Lord Chancellor, Lord

[1] Rose, ii. 382. [2] Twiss' Eldon, ii. 90.
[3] Ward, i. 280.

Liverpool, Lord Camden, Lord Mulgrave, Lord Harrowby, and such other of his confidential servants as were not about to retire from their offices, in order that they should advise His Majesty what steps he should take with regard to this letter, and also with regard to the situation of his Administration.'

THE END OF THE FIRST VOLUME.

LONDON:
Printed by JOHN STRANGEWAYS, Castle St. Leicester Sq.

00023644

Digitized with financial assistance from the
Government of Maharashtra
on 18 July, 2018